UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE SECOND SESSION OF THE
EIGHTIETH CONGRESS
OF THE UNITED STATES OF AMERICA

1948

AND

PROCLAMATIONS, TREATIES, AND INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES

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547	*Supplemental National Defense Appropriation Act, 1948.* AN ACT Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes	May 21, 1948	258
548	*Reconstruction Finance Corporation Act, amendments.* AN ACT To amend the Reconstruction Finance Corporation Act, as amended, and for other purposes	May 25, 1948	261
549	*National Advisory Committee for Aeronautics.* AN ACT To promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes	May 25, 1948	266
550	*General Bridge Act of 1946, amendment.* AN ACT To amend the General Bridge Act of 1946	May 25, 1948	267
551	*East Bay Municipal Utility District, Calif.* AN ACT To authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, California	May 25, 1948	268
552	*Aliens.* AN ACT To amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States	May 25, 1948	268
553	*Boulder City, Nev.* AN ACT Directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nevada	May 25, 1948	268
554	*Flathead Indian irrigation project, Mont.* AN ACT To provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes	May 25, 1948	269
555	*Northport Irrigation District.* AN ACT Authorizing the execution of an amendatory repayment contract with the Northport Irrigation District, and for other purposes	May 25, 1948	273
556	*Clams.* AN ACT Authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams	May 26, 1948	274
557	*Civil Air Patrol.* AN ACT To establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes	May 26, 1948	274
558	*Memorial Day.* JOINT RESOLUTION Requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace	May 28, 1948	275
559	*Federal Power Act, amendment.* AN ACT To amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes	May 28, 1948	275
560	*Government, etc., personnel, transportation.* AN ACT To provide for furnishing transportation for certain Government and other personnel, and for other purposes	May 28, 1948	276
561	*Use of public lands for national defense purposes.* AN ACT Authorizing the head of the department or agency using the public domain for national defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national defense purposes	May 28, 1948	277
562	*Alaska, public airports.* AN ACT To authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska	May 28, 1948	277
563	*Potash mining.* AN ACT To amend the Act entitled "An Act to promote the mining of potash on the public domain", approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the Act entitled "An Act to authorize exploration for and disposition of potassium", approved October 2, 1917	June 1, 1948	279
564	*Canadians admitted to U. S. Naval and Military Academies.* AN ACT To amend the Acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians	June 1, 1948	279

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565	*Kearney, Nebr., conveyance.* AN ACT To authorize the Secretary of the Army to exchange certain property with the City of Kearney, Nebraska	June 1, 1948	280
566	*Federal Works Agency, special policemen.* AN ACT To authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes	June 1, 1948	281
567	*Nationality Act of 1940, amendment.* AN ACT To amend the Nationality Act of 1940	June 1, 1948	281
568	*Fairbanks, Alaska, conveyance.* AN ACT To transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska	June 1, 1948	283
569	*Alaska, district court division.* AN ACT To amend the fourth paragraph of section 4, chapter 1, title I, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended	June 1, 1948	283
570	*Boulder Canyon Project Adjustment Act, amendment.* AN ACT To provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund	June 1, 1948	284
571	*Mineral Leasing Act, 1920, amendment.* AN ACT To amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950	June 1, 1948	285
572	*Inaugural ceremonies, quartering of troops.* JOINT RESOLUTION To provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies of 1949	June 1, 1948	285
573	*Weather Bureau.* AN ACT To provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes	June 2, 1948	286
574	*Inaugural ceremonies, maintenance of public order.* JOINT RESOLUTION To provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949	June 3, 1948	286
575	*Inaugural ceremonies, permits to committee.* JOINT RESOLUTION Authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes	June 3, 1948	287
576	*Mineral leases, public lands.* AN ACT To amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes	June 3, 1948	289
577	*Veterans' Administration, acquisition of hospitals.* AN ACT To provide for the acquisition of the hospital at Camp White, Medford, Oregon, and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration	June 3, 1948	292
578	*Alaska, powerboat mail service.* AN ACT To amend an Act entitled "An Act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes", approved August 10, 1939 (53 Stat. 1338)	June 3, 1948	292
579	*Parker River National Wildlife Refuge, Mass.* AN ACT To reduce in area the Parker River National Wildlife Refuge in Essex County, Massachusetts, and for other purposes	June 3, 1948	293
580	*Snake River, Idaho and Wyo.* AN ACT Granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other	June 3, 1948	294
581	*Hawaiian Homes Commission Act, amendment.* AN ACT To amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands	June 3, 1948	295
582	*Hawaii, certain interest rates.* AN ACT To ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947	June 3, 1948	295

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583	*Interstate Commerce Act, amendment.* AN ACT To amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law	June 3, 1948	295
584	*Hawaii, revenue bonds.* AN ACT To approve Act Numbered 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii", and Act Numbered 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds"	June 3, 1948	296
585	*Hawaii, water supply of Honolulu.* AN ACT To ratify Act 237 of the Session Laws of Hawaii 1947	June 3, 1948	296
586	*Fort Peck project, Mont.* AN ACT To authorize payments to the public school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project	June 3, 1948	297
587	*Coast and Geodetic Survey Commissioned Officers' Act of 1948.* AN ACT To provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes	June 3, 1948	297
588	*Oklahoma, land conveyance.* AN ACT To provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State College at Tahlequah, Oklahoma	June 3, 1948	301
589	*Department of the Interior, oaths.* AN ACT To eliminate the requirement of oaths in certain land matters, and for other purposes	June 3, 1948	301
590	*Cape Hatteras National Seashore Recreational Area project.* AN ACT To provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes	June 3, 1948	301
591	*Coast Guard, service credit.* AN ACT To allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941	June 3, 1948	302
592	*Coast Guard.* AN ACT To amend the Act of July 23, 1947 (61 Stat. 409) (Public Law Numbered 219 of the Eightieth Congress)	June 3, 1948	302
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594	*Hawaiian Homes Commission Act, amendment.* AN ACT To amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands	June 3, 1948	303
595	*Hawaii, public-improvement bonds.* AN ACT To confirm and ratify Act 205 of the session laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds	June 3, 1948	304
596	*Veterans, homestead entries.* AN ACT To amend an Act entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II."	June 3, 1948	305
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599	*Escorts of repatriated war dead.* AN ACT To amend the Act of May 16, 1946 (Public Law 383, Seventy-ninth Congress), as amended, to provide increased allowances for the escorts of repatriated war dead	June 3, 1948	334
600	*Aliens, reentry permits.* AN ACT Relating to the issuance of reentry permits to certain aliens	June 3, 1948	335
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603	*Cass County, Minn., fish propagation.* AN ACT To authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes	June 4, 1948	337
604	*Yellowstone National Park, school facilities.* AN ACT To provide adequate school facilities within Yellowstone National Park, and for other purposes	June 4, 1948	338
605	*Armory Board, D. C.* AN ACT To establish a District of Columbia Armory Board, and for other purposes	June 4, 1948	339
606	*Second Decontrol Act of 1947, amendment.* AN ACT To continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes	June 4, 1948	342
607	*Volunteer firemen, commemorative stamp.* JOINT RESOLUTION To provide for the issuance of a special postage stamp series in honor of volunteer firemen	June 4, 1948	343
608	*Fort Kearney, Nebr., commemorative stamp.* JOINT RESOLUTION To authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska	June 4, 1948	343
609	*New York City, commemorative stamp.* JOINT RESOLUTION To authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City	June 4, 1948	343
610	*Meat inspection.* AN ACT Relating to the meat-inspection service of the Department of Agriculture	June 5, 1948	344
611	*National Archives.* AN ACT To amend section 10 of the Act establishing a National Archives of the United States Government	June 8, 1948	344
612	*Tariff Act of 1930, amendment.* AN ACT To amend paragraph 813 of the Tariff Act of 1930	June 8, 1948	344
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614	*International Industrial Exposition, Inc., Atlantic City, N. J.* JOINT RESOLUTION To permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Incorporated, Atlantic City, New Jersey, to be admitted without payment of tariff, and for other purposes	June 8, 1948	345
615	*Sexual psychopaths, D. C.* AN ACT To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes	June 9, 1948	346
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617	*Civil Service Act, amendment.* AN ACT To amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service	June 10, 1948	351
618	*Chesapeake and Ohio Canal, parkway study.* AN ACT To authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake and Ohio Canal between Great Falls, Maryland, and Cumberland, Maryland, and to report to the Congress upon the advisability and practicability of constructing thereon a parkway, and for other purposes	June 10, 1948	351
619	*Fort Story, Va.* AN ACT To provide for the disposal of surplus sand at Fort Story, Virginia	June 10, 1948	352
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623	*Civil service, certain salaries.* AN ACT To provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service	June 10, 1948	354
624	*Emergency housing, Oreg. and Wash.* JOINT RESOLUTION To amend section 303 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes"	June 11, 1948	356
625	*Women's Armed Services Integration Act of 1948.* AN ACT To establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Air Force, Regular Navy and Marine Corps, and in the Reserve components of the Army, Navy, Air Force, and Marine Corps, and for other purposes	June 12, 1948	356
626	*Army and Air Force, construction at military installations.* AN ACT To authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes	June 12, 1948	375
627	*Highland Falls, N. Y., water-filtration plant.* AN ACT To authorize the payment of a lump sum, in the amount of $85,000, to the village of Highland Falls, New York, as a contribution toward the cost of construction of a water-filtration plant, and for other purposes	June 12, 1948	381
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630	*Tariff Act of 1930, amendment.* AN ACT To amend paragraph 1772 of the Tariff Act of 1930, as amended	June 12, 1948	383
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632	*Richmond County, N. Y., railroad right-of-way.* AN ACT To amend an Act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, New York	June 12, 1948	385
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635	*Revenue Act of 1942, amendment.* JOINT RESOLUTION To extend the time for the release, free of estate and gift tax, of powers of appointment, and for other purposes	June 12, 1948	387
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637	*Port Chicago, Calif., claims.* AN ACT To provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, California, on July 17, 1944, in the amounts found to be due by the Secretary of the Navy	June 14, 1948	389
638	*Hawaiian Homes Commission Act, 1920, amendments.* AN ACT To amend sections 207, 213, 215, 216, 220, 222, and 225, of title 2 of the Hawaiian Homes Commission Act, 1920, as amended	June 14, 1948	390

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640	*Treasury and Post Office Departments Appropriation Act, 1949.* AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes	June 14, 1948	408
641	*Legislative Branch Appropriation Act, 1949.* AN ACT Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1949, and for other purposes	June 14, 1948	423
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643	*World Health Organization.* JOINT RESOLUTION Providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor	June 14, 1948	441
644	*Preston Bench project, Idaho.* AN ACT To authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws	June 15, 1948	442
645	*Golden Nematode Act.* AN ACT To provide for the protection of potato and tomato production from the golden nematode, and for other purposes	June 15, 1948	442
646	*Supplemental Federal Security Agency Appropriation Act, 1949.* AN ACT Making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes	June 16, 1948	443
647	*International Aviation Facilities Act.* AN ACT To encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes	June 16, 1948	450
648	*William Allen White, commemorative stamp.* JOINT RESOLUTION To authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature	June 16, 1948	455
649	*Nome, Alaska.* AN ACT To provide for the construction of shore protective works at the town of Nome, Alaska	June 16, 1948	455
650	*Caribou National Forest, Idaho.* AN ACT To authorize the revision of the boundaries of the Caribou National Forest in the State of Idaho	June 16, 1948	455
651	*Cattle grubs.* AN ACT Authorizing additional research and investigation into problems and methods relating to the eradication of cattle grubs, and for other purposes	June 16, 1948	458
652	*Surplus athletic equipment.* AN ACT To aid the associations, groups, organizations, and institutions encouraging participation of the youth of the country in athletic and sports programs by making surplus athletic equipment available to such associations, groups, organizations, and institutions, and for other purposes	June 16, 1948	458
653	*Navy, public works.* AN ACT To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes	June 16, 1948	459
654	*Bridges, Chesapeake Bay and Patapsco River.* AN ACT Supplementing the Act entitled "An Act authorizing the State of Maryland, by and through its State Roads Commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State", approved April 7, 1938	June 16, 1948	463
655	*National Heart Act.* AN ACT To amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes	June 16, 1948	464
656	*Civil Aeronautics Act of 1938, amendment.* AN ACT To amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft	June 16, 1948	470
657	*Thunderstorms, etc., study of.* AN ACT To provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances	June 16, 1948	470

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658	*Bridge, Mystic River.* AN ACT To authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Massachusetts	June 16, 1948	471
659	*Virginia, public-highway easement.* AN ACT To authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Virginia	June 16, 1948	471
660	*Veterans' Administration, travel expenses.* AN ACT To amend Public Law Numbered 432, Seventy-sixth Congress, to include an allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for vocational-rehabilitation purposes	June 16, 1948	471
661	*Servicemen's Readjustment Act of 1944, amendment.* AN ACT To extend for one year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding five years	June 16, 1948	472
662	*Interstate Commerce Act, amendment.* AN ACT To amend the Interstate Commerce Act with respect to certain agreements between carriers	June 17, 1948	472
663	*Dade Monument.* AN ACT Authorizing the Secretary of the Army to have prepared a replica of the Dade Monument for presentation to the State of Florida	June 17, 1948	474
664	*Postal accounts, reimbursement for certain shortages.* AN ACT To amend section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended, so as to provide reimbursement to the Post Office Department by the Navy Department for shortages in postal accounts occurring while commissioned officers of the Navy and Marine Corps are designated custodians of postal effects	June 17, 1948	474
665	*Suspension of annual assessment work on mining claims.* AN ACT Providing for the suspension of annual assessment work on mining claims held by location in the United States	June 17, 1948	475
666	*Pinellas County, Fla., conveyance.* AN ACT To provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described	June 17, 1948	475
667	*Patents for public lands.* AN ACT To revise the method of issuing patents for public lands	June 17, 1948	476
668	*Secretary of the Navy, discretionary powers.* AN ACT To amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States	June 17, 1948	476
669	*Postal service, star routes.* AN ACT To provide for the carrying of mail on star routes, and for other purposes	June 19, 1948	477
670	*National Defense Act, amendment.* AN ACT To further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended	June 19, 1948	477
671	*Census of manufacturers, etc.* AN ACT To provide for the collection and publication of statistical information by the Bureau of the Census	June 19, 1948	478
672	*Investments by life insurance companies, D. C.* AN ACT To amend section 35 of chapter III of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", as amended, and to repeal section 36 of said chapter III of said Act, as amended, so as to permit certain additional investments	June 19, 1948	480
673	*U. S. marshals, etc., mileage allowance.* AN ACT To authorize a mileage allowance of 7 cents per mile for United States marshals and their deputies for travel on official business	June 19, 1948	484
674	*Postal Service, credit for certain service.* AN ACT To credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion	June 19, 1948	484
675	*Navy, training of officers.* AN ACT To amend the Act entitled "An Act to provide for the training of officers for the naval service, and for other purposes", approved August 13, 1946, as amended	June 19, 1948	485

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676	*D. C. Code, amendments.* AN ACT To amend sections 1301 and 1303 of the Code of Law for the District of Columbia, relating to liability for causing death by wrongful act	June 19, 1948	487
677	*D. C. Code, amendments.* AN ACT To amend sections 235 and 327 of the Code of Laws for the District of Columbia	June 19, 1948	487
678	*National Guard and Reserve forces, care and treatment.* AN ACT To amend the Act entitled "An Act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract diseases while engaged in military training, and for other purposes", approved June 15, 1936, as amended, and for other purposes	June 19, 1948	488
679	*U. S. property and disbursing officers, credit in accounts.* AN ACT To authorize credit in certain accounts of United States property and disbursing officers under the War Department, and for other purposes	June 19, 1948	488
680	*Army and Air Force personnel, disabled.* AN ACT To provide for retention in the service of certain disabled Army and Air Force personnel, and for other purposes	June 19, 1948	489
681	*Air Force, longevity pay.* AN ACT To amend the Act of Congress entitled "An Act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching eighteen years of age for the purpose of computing longevity pay, or for other pay purposes", approved March 6, 1946	June 19, 1948	489
682	*Camp Phillips, Kans., transfer of lands.* AN ACT To transfer certain lands at Camp Phillips, Kansas, to the Department of the Army	June 19, 1948	490
683	*Army disbursing officers, supervision.* AN ACT To repeal section 1 of the Act of April 20, 1874, prescribing regulations governing inquiries to be made in connection with disbursements made by disbursing officers of the Army (18 Stat. 33; 10 U. S. C. 174)	June 19, 1948	490
684	*Postal Service, promotions.* AN ACT To amend the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service	June 19, 1948	490
685	*Wadsworth, Nev., restoration of lands.* AN ACT To restore certain lands to the town site of Wadsworth, Nevada	June 19, 1948	491
686	*Pierre, S. Dak., conveyance.* AN ACT To convey certain land to the city of Pierre, South Dakota	June 19, 1948	491
687	*Railway postal clerks, etc., travel allowance.* AN ACT To increase the maximum travel allowance for railway postal clerks and substitute railway postal clerks	June 19, 1948	491
688	*Great Lakes, Ill., recreational park.* AN ACT To authorize the the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Illinois	June 19, 1948	492
689	*Defense housing, sale to veterans.* AN ACT To amend the Lanham Act so as to permit the sale of certain permanent war housing thereunder to veterans at a purchase price not in excess of the cost of construction	June 19, 1948	492
690	*Naval vessels, work stoppage.* AN ACT To authorize the President, in his discretion, to permit the stoppage of work on certain combatant vessels	June 19, 1948	492
691	*Fees for liens on motor vehicles, D. C.* AN ACT To amend the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940, as amended	June 19, 1948	493
692	*Civil Aeronautics Act of 1938, amendments.* AN ACT To amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes	June 19, 1948	493

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693	*Puerto Rico, conveyance.* AN ACT To authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico, in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings	June 19, 1948	495
694	*Hospitals, liens for moneys due.* AN ACT To amend the Act entitled "An Act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939	June 19, 1948	496
695	*Admiralty jurisdiction, extension.* AN ACT For the extension of admiralty jurisdiction	June 19, 1948	496
696	*Panama Canal, recognition of civilian services.* AN ACT To amend the Act of May 29, 1944, providing for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal	June 19, 1948	497
697	*Conservation of wildlife.* AN ACT To amend the Act of March 10, 1934, entitled "An Act to promote the conservation of wildlife, fish, and game, and for other purposes", as amended by the Act approved August 14, 1946	June 19, 1948	497
698	*Bridge, Missouri River.* AN ACT To extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebraska	June 19, 1948	497
699	*D. C. Fire Department.* AN ACT To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes	June 19, 1948	498
700	*Army vessel Hygiene.* AN ACT To authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel Hygiene	June 19, 1948	499
701	*Arkansas-Mississippi Bridge Commission.* AN ACT To increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes	June 19, 1948	499
702	*Housing, disabled veterans.* AN ACT To authorize assistance to certain veterans in acquiring specially adapted housing which they require by reason of the nature of their service-connected disabilities	June 19, 1948	500
703	*Arlington County, Va., conveyance.* AN ACT To authorize the conveyance by the Secretary of the Interior to the Richmond, Fredericksburg and Potomac Railroad Company, of certain lands lying in the bed of Roaches Run, Arlington County, Virginia, and for other purposes	June 19, 1948	501
704	*Gettysburg National Cemetery.* AN ACT To enlarge the Gettysburg National Cemetery	June 19, 1948	502
705	*Del Norte County, Calif., conveyance.* AN ACT To transfer Pelican Rock in Crescent City Harbor, Del Norte County, California, to that county	June 19, 1948	503
706	*Internal Revenue Code, amendment.* AN ACT To amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free	June 19, 1948	504
707	*Civil Service Retirement Act, amendment.* AN ACT To amend the Civil Service Retirement Act of May 29, 1930, as amended	June 19, 1948	504
708	*Puerto Rico and Hawaii, payments to sugar producers.* AN ACT To authorize Commodity Credit Corporation to make adjustment payments to certain producers of raw cane sugar in Puerto Rico and Hawaii	June 19, 1948	504
709	*Navy and Coast Guard, checkage of retired pay.* AN ACT To prevent retroactive checkage of retired pay in the cases of certain enlisted men and warrant officers appointed or advanced to commissioned rank or grade under the Act of July 24, 1941 (55 Stat. 603), as amended, and for other purposes	June 19, 1948	505
710	*Armed Forces Leave Act of 1946, amendments.* AN ACT To amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters, and nieces and nephews, of deceased members and former members of the armed forces	June 19, 1948	506
711	*D. C. nursery schools, etc.* AN ACT To continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children of the District of Columbia	June 19, 1948	507

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712	*Department of Agriculture Appropriation Act, 1949.* AN ACT Making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes	June 19, 1948	507
713	*Public Health Service Act, amendment.* AN ACT To extend the provisions of title VI of the Public Health Service Act to the Virgin Islands	June 19, 1948	531
714	*Choctaw Coal and Railway Company, repeal of Act of incorporation.* AN ACT To repeal an Act approved August 24, 1894, entitled "An Act to authorize the purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company", and all Acts amendatory thereof and supplemental thereto	June 19, 1948	532
715	*Fort Vancouver National Monument, Wash.* AN ACT To provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Company stockade, and for other purposes	June 19, 1948	532
716	*Army-Navy Medical Services Corps Act of 1947, amendment.* AN ACT To amend section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps	June 19, 1948	533
717	*Grazing lands.* AN ACT To provide for the acquisition of lands for grazing and related purposes	June 19, 1948	533
718	*Canadian fishing vessels, use of Alaskan ports.* AN ACT To permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes	June 19, 1948	533
719	*Langlade County, Wis., conveyance.* AN ACT To transfer certain land in Langlade County, Wisconsin, to the United States Forest Service	June 19, 1948	534
720	*Farm Tenant Act, amendments.* AN ACT To amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes	June 19, 1948	534
721	*Hawaii, extension of leases of certain land.* AN ACT To authorize the extension of leases of certain land in the Territory of Hawaii	June 19, 1948	536
722	*Veterans' Administration, establishment of internships.* AN ACT To authorize the establishment of internships in the Department of Medicine and Surgery of the Veterans' Administration	June 19, 1948	536
723	*Public Health Service Act, amendment.* AN ACT To amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title	June 19, 1948	536
724	*D. C. Appropriation Act, 1949.* AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1949, and for other purposes	June 19, 1948	537
725	*Lead, import duties.* AN ACT To provide for the temporary free importation of lead	June 19, 1948	559
726	*California, land conveyance.* AN ACT To authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, California, to the State of California for the use of the University of California	June 19, 1948	559
727	*Supplemental Treasury and Post Office Departments Appropriation Act, 1949.* AN ACT Making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes	June 19, 1948	560
728	*D. C. Motor Vehicle Parking Facility Act of 1942, amendment.* AN ACT To amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942	June 19, 1948	565
729	*Veterans' Administration, prosthetic appliances.* AN ACT To aid in the development of improved prosthetic appliances, and for other purposes	June 19, 1948	566

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730	*Macon, Ga., jurisdiction of Court to hear claims.* AN ACT To confer jurisdiction upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment on the claims of the owners of the fee-simple titles and leasehold interests in lands leased to the United States by the city of Macon, Georgia, for use as a part of the site of Camp Wheeler, Georgia	June 19, 1948	566
731	*Dedication of Palomar Mountain Observatory, commemorative stamp.* AN ACT To provide for the issuance of a special postage stamp in commemoration of the dedication of the Palomar Mountain Observatory	June 21, 1948	567
732	*School District 55, Roosevelt County, Mont., conveyance.* AN ACT To authorize the Secretary of the Interior to convey certain lands in the State of Montana to School District 55, Roosevelt County, Montana	June 21, 1948	567
733	*Superior National Forest, Minn.* AN ACT To safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes	June 22, 1948	568
734	*Saratoga National Historical Park, N. Y.* AN ACT To establish the Saratoga National Historical Park, in the State of New York, from the lands that have been acquired by the Federal Government for that purpose pursuant to the Act of June 1, 1938 (52 Stat. 608), and for other purposes	June 22, 1948	570
735	*Alaska, mining claims.* AN ACT To provide for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska	June 22, 1948	571
736	*Chopawamsic Park, Va.* AN ACT To authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes	June 22, 1948	571
737	*St. Elizabeths Hospital, D. C.* AN ACT To provide for the voluntary admission and treatment of mental patients at Saint Elizabeths Hospital	June 22, 1948	572
738	*Coast Guard.* AN ACT To authorize the Coast Guard to operate and maintain ocean stations	June 22, 1948	574
739	*Postal service, certain seniority rights.* AN ACT To preserve seniority rights of ten-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier	June 22, 1948	574
740	*Railway postal clerks.* AN ACT Relating to the compensation of certain railway postal clerks	June 22, 1948	575
741	*Veterans' Preference Act of 1944, amendment.* AN ACT To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes	June 22, 1948	575
742	*Oklahoma, public lands.* AN ACT To extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma	June 22, 1948	576
743	*Postal service, delivery of certain mails.* AN ACT Requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of thirty-five miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles	June 23, 1948	576
744	*Railroad Retirement Act of 1937 and Railroad Unemployment Insurance Act, amendments.* AN ACT To amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes	June 23, 1948	576
745	*D. C. Code, amendment.* AN ACT To amend section 1064 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, relating to admissibility of testimony by a party to a transaction when the other party is incapable of testifying	June 24, 1948	579
746	*Organic Act of Puerto Rico, amendments.* AN ACT Relating to salaries of certain officers and employees of the United States and certain officers and employees of Puerto Rico	June 24, 1948	579

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747	*Harney National Forest, S. Dak.* AN ACT To permit, subject to certain conditions, mining locations under the mining laws of the United States within that portion of the Harney National Forest, designated as a game sanctuary, and for other purposes	June 24, 1948	580
748	*Veterans Regulations, amendments.* AN ACT To amend Veterans Regulation Numbered 1 (a), parts I and II, as amended, to establish a presumption of service connection for chronic and tropical diseases	June 24, 1948	581
749	*Federal Food, Drug, and Cosmetic Act, amendments.* AN ACT To amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended	June 24, 1948	582
750	*Tariff Act of 1930, amendment.* AN ACT To amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer	June 24, 1948	583
751	*Fort Des Moines Veterans' Village, Iowa.* AN ACT To confer jurisdiction over the Fort Des Moines Veterans' Village upon the State of Iowa	June 24, 1948	583
752	*Naval Academy, Filipinos.* AN ACT To authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines	June 24, 1948	583
753	*Department of the Navy Appropriation Act, 1949.* AN ACT Making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes	June 24, 1948	584
754	*Choctaw and Chickasaw Nations of Indians.* JOINT RESOLUTION Providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians	June 24, 1948	596
755	*National Dental Research Act.* AN ACT To amend the Public Health Service Act to provide for, foster, and aid in coordinating research relating to dental diseases and conditions, and for other purposes	June 24, 1948	598
756	*Interstate Commerce Act, amendment.* AN ACT To amend the Interstate Commerce Act so as to permit the issuance of free passes to time inspectors of carriers subject to part I of such Act	June 24, 1948	602
757	*Longshoremen's and Harbor Workers' Compensation Act, amendments.* AN ACT To increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act	June 24, 1948	602
758	*National Military Establishment, professional and scientific service.* AN ACT To amend the Act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such Act, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes	June 24, 1948	604
759	*Selective Service Act of 1948.* AN ACT To provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes	June 24, 1948	604
760	*Lafayette Building, Washington, D. C.* AN ACT To authorize the Federal Works Administrator to lease for commercial purposes certain space in the building located at 811 Vermont Avenue Northwest, Washington, District of Columbia, commonly known as the Lafayette Building	June 24, 1948	644
761	*Lighthouse Service.* AN ACT To further perfect the consolidation of the Lighthouse Service with the Coast Guard	June 24, 1948	644
762	*Spanish-American War veterans, pensions for widows.* AN ACT To provide pensions for certain widows of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection	June 24, 1948	645
763	*Marine Band.* AN ACT To authorize the attendance of the United States Marine Corps Band at the national assembly of the Marine Corps League to be held at Milwaukee, Wisconsin, September 22 to September 25, inclusive, 1948	June 24, 1948	645
764	*Chickamauga and Chattanooga National Military Park.* AN ACT To provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes	June 24, 1948	646

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765	*Standard Time Act of 1918, amendment.* AN ACT To amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone	June 24, 1948	646
766	*Military Functions Appropriation Act, 1949.* AN ACT Making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes	June 24, 1948	647
767	*Assistant Secretaries of State.* AN ACT To continue the authorization for the appointment of two additional Assistant Secretaries of State	June 24, 1948	670
768	*Civil Service Retirement Act of 1930, amendment.* AN ACT To amend the Civil Service Retirement Act of May 29, 1930, to provide annuities for certain surviving spouses of annuitants retired prior to April 1, 1948	June 25, 1948	670
769	*Customs duties, free entry for certain articles.* JOINT RESOLUTION Permitting the free entry of certain articles imported to promote international good will, and for other purposes	June 25, 1948	671
770	*Contracts for petroleum products.* AN ACT To ratify and confirm amendments to certain contracts for the furnishing of petroleum products to the United States	June 25, 1948	671
771	*U. S. Code, title 3.* AN ACT To codify and enact into law Title 3 of the United States Code, entitled "The President"	June 25, 1948	672
772	*U. S. Code, title 18.* AN ACT To revise, codify, and enact into positive law, Title 18 of the United States Code, entitled "Crimes and Criminal Procedure"	June 25, 1948	683
773	*U. S. Code, title 28.* AN ACT To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary"	June 25, 1948	869
774	*Displaced Persons Act of 1948.* AN ACT To authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes	June 25, 1948	1009
775	*Judge Advocate General, U. S. Air Force.* AN ACT To provide for the administration of military justice within the United States Air Force, and for other purposes	June 25, 1948	1014
776	*Organic Act of Puerto Rico, amendment.* AN ACT To amend the Organic Act of Puerto Rico	June 25, 1948	1015
777	*Army, rank of Assistant to Chief of Engineers.* AN ACT To fix the rank of the Assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements	June 25, 1948	1015
778	*Commodore John Barry, statue.* JOINT RESOLUTION To increase the sum authorized to be appropriated for the presentation to Eire of a statue of Commodore John Barry	June 25, 1948	1015
779	*U. S. courts, jurors' fees, etc.* AN ACT Relating to the payment of fees, expenses, and costs of jurors	June 25, 1948	1016
780	*U. S. courts, probation system.* AN ACT To amend section 2 of an Act, entitled "An Act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia", approved March 4, 1925, as amended (18 U. S. C. 725)	June 25, 1948	1016
781	*Public Health Service Act, amendments.* AN ACT To amend the Public Health Service Act to permit certain expenditures, and for other purposes	June 25, 1948	1017
782	*Civil Functions Appropriation Act, 1949.* AN ACT Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes	June 25, 1948	1019
783	*Nationality Act of 1940, amendment.* AN ACT To amend section 332 (a) of the Nationality Act of 1940	June 25, 1948	1026
784	*National Archives, fees.* AN ACT To amend the Act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives	June 25, 1948	1026
785	*Second Deficiency Appropriation Act, 1948.* AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes	June 25, 1948	1027
786	*Coast Guard.* AN ACT To authorize the Coast Guard to establish, maintain, and operate aids to navigation	June 26, 1948	1050

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787	*Navigation laws, amendment.* AN ACT To amend section 5 of the Act entitled "An Act to amend the laws relating to navigation, and for other purposes."	June 26, 1948	1051
788	*Statue of Gen. Jose Gervasio Artigas.* AN ACT To provide for the acceptance on behalf of the United States of a statue of General Jose Gervasio Artigas, and for other purposes	June 26, 1948	1051
789	*Cannon's Procedure in the House of Representatives.* JOINT RESOLUTION Authorizing the printing and binding of Cannon's Procedure in the House of Representatives and providing that the same shall be subject to copyright by the author	June 26, 1948	1052
790	*Bureau of Reclamation, emergency fund.* AN ACT To authorize an emergency fund for the Bureau of Reclamation to assure the continuous operation of its irrigation and power systems	June 26, 1948	1052
791	*Regular Army and Regular Air Force, appointments.* AN ACT To authorize the permanent appointment in the Regular Army of one officer in the grade of general and to authorize the permanent appointment in the Regular Air Force of one officer in the grade of general, and for other purposes	June 26, 1948	1052
792	*Trade Agreements Extension Act of 1948.* AN ACT To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes	June 26, 1948	1053
793	*Foreign Aid Appropriation Act, 1949.* AN ACT Making appropriations for foreign aid, and for other purposes	June 28, 1948	1054
794	*Pan American Railway Congress.* JOINT RESOLUTION Providing for participation by the Government of the United States in the Pan American Railway Congress, and authorizing an appropriation therefor	June 28, 1948	1060
795	*Independence National Historical Park, Philadelphia, Pa.* AN ACT To provide for the establishment of the Independence National Historical Park, and for other purposes	June 28, 1948	1061
796	*Defense housing.* AN ACT To amend the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended	June 28, 1948	1062
797	*Washington County, Ark., conveyance.* AN ACT To authorize the Administrator of Veterans' Affairs to convey a certain tract of land in the State of Arkansas to Washington County, Arkansas	June 28, 1948	1065
798	*Department of State, consular functions for German nationals.* AN ACT To authorize the Secretary of State to perform certain consular-type functions within the United States and its Territories and possessions	June 28, 1948	1065
799	*Bridge, Rio Grande.* AN ACT Authorizing the Hidalgo Bridge Company, its heirs, legal representatives, and assigns, to construct, maintain, and operate a railroad toll bridge across the Rio Grande, at or near Hidalgo, Texas	June 28, 1948	1066
800	*Barbers, D. C.* AN ACT To amend section 11 of an Act entitled "An Act to regulate barbers in the District of Columbia, and for other purposes."	June 28, 1948	1067
801	*Vessels of Canadian registry.* AN ACT To amend the Act of July 30, 1947, permitting vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States	June 28, 1948	1067
802	*Veterans of World War II, benefits.* AN ACT To provide further benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the United States, and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken	June 28, 1948	1068
803	*Johnson City, Tenn., conveyance.* AN ACT To authorize the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City	June 28, 1948	1068
804	*Officer Personnel Act of 1947, amendment.* AN ACT To amend the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress), and for other purposes	June 28, 1948	1069
805	*Department of Agriculture Organic Act of 1944, amendment.* AN ACT To amend section 502 (a) of the Department of Agriculture Organic Act of 1944	June 29, 1948	1070
806	*Commodity Credit Corporation Charter Act.* AN ACT To provide a Federal charter for the Commodity Credit Corporation	June 29, 1948	1070

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807	*Alexandria, Va., commemorative stamp.* AN ACT To authorize the issuance of a stamp commemorative of the two-hundredth anniversary of the founding of the city of Alexandria, Virginia	June 29, 1948	1075
808	*Canal Zone Code, amendment.* AN ACT To amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company	June 29, 1948	1075
809	*Lincoln's Gettysburg Address, commemorative stamp.* JOINT RESOLUTION To authorize the issuance of a special series of stamps commemorative of the eighty-fifth anniversary of Lincoln's Gettysburg Address	June 29, 1948	1080
810	*Army and Air Force Vitalization and Retirement Equalization Act of 1948.* AN ACT To provide for the elimination of Regular Army and Regular Air Force officers and for the retirement of officers, warrant officers, and enlisted men of the Regular Army and the Regular Air Force, and to provide retirement benefits for members of the Reserve components of the Army of the United States, the Air Force of the United States, United States Navy and Marine Corps, and Coast Guard	June 29, 1948	1081
811	*Moina Michael, commemorative stamp.* AN ACT To authorize the issuance of a special series of stamps in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea	June 29, 1948	1091
812	*Rough Riders, commemorative stamp.* JOINT RESOLUTION Authorizing the issuance of a special series of stamps commemorative of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer United States Cavalry) of the Spanish-American War	June 29, 1948	1091
813	*Federal Credit Union Act, transfer of administration.* AN ACT To transfer administration of the Federal Credit Union Act to the Federal Security Agency	June 29, 1948	1091
814	*Potholes Dam, change of name.* JOINT RESOLUTION To change the name of the Potholes Dam in the Columbia Basin project to O'Sullivan Dam	June 29, 1948	1092
815	*Civil Aeronautics Act of 1938, amendment.* AN ACT To provide for the training of air-traffic control-tower operators	June 29, 1948	1093
816	*Board of Visitors, Naval Academy and Military Academy.* AN ACT To provide for a Board of Visitors to the United States Naval Academy and for a Board of Visitors to the United States Military Academy, and for other purposes	June 29, 1948	1094
817	*Arming of American vessels.* AN ACT Relating to the arming of American vessels	June 29, 1948	1095
818	*Importation of foreign wild animals and birds.* AN ACT To prohibit the importation of foreign wild animals and birds under conditions other than humane, and for other purposes	June 29, 1948	1096
819	*Air parcel-post service.* AN ACT To provide for an air parcel-post service, and for other purposes	June 29, 1948	1097
820	*Army, revolving fund.* AN ACT To provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold	June 29, 1948	1098
821	*Federal Prison Industries, Inc.* AN ACT Authorizing the extension of the functions and duties of Federal Prison Industries, Incorporated, to military disciplinary barracks	June 29, 1948	1100
822	*University of Minnesota, conveyance.* AN ACT To authorize the Secretary of the Interior to convey a certain parcel of land in Saint Louis County, Minnesota, to the University of Minnesota	June 29, 1948	1100
823	*Army, transfer of horses and equipment.* AN ACT To authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution, and for other purposes	June 29, 1948	1101
824	*Tin-smelting industry.* AN ACT To extend for two years the authority to provide for the maintenance of a domestic tin-smelting industry	June 29, 1948	1101
825	*Reconstruction Finance Corporation Act, amendment.* AN ACT To amend the Reconstruction Finance Corporation Act, as amended	June 29, 1948	1101
826	*Parking lots, D. C.* JOINT RESOLUTION To authorize and direct the Commissioners of the District of Columbia to investigate and study certain matters relating to parking lots in the District of Columbia	June 29, 1948	1102

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827	*Theodore Roosevelt National Memorial Park.* JOINT RESOLUTION Correcting Act establishing the Theodore Roosevelt National Memorial Park, as amended	June 29, 1948	1102
828	*Internal revenue, claims for war losses.* JOINT RESOLUTION Providing an extension of time for claiming credit or refund with respect to war losses	June 29, 1948	1102
829	*Surplus Property Act of 1944, amendment.* AN ACT To amend section 13 (a) of the Surplus Property Act of 1944, as amended	June 29, 1948	1103
830	*Public Health Service Act, amendment.* AN ACT To amend section 624 of the Public Health Service Act so as to provide a minimum allotment of $100,000 to each State for the construction of hospitals	June 29, 1948	1103
831	*Cheyenne, Wyo., conveyance.* AN ACT To authorize the Administrator of Veterans' Affairs to convey to the city of Cheyenne, Wyoming, for public-park and golf-course purposes, certain land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyoming	June 29, 1948	1104
832	*Los Angeles, Calif., post-office facilities.* AN ACT To provide for the extension and improvement of post-office facilities at Los Angeles, California, and for other purposes	June 29, 1948	1104
833	*Oklahoma, land conveyance.* AN ACT To direct the Secretary of Agriculture to convey certain land to the State of Oklahoma	June 29, 1948	1104
834	*Federal-Aid Highway Act of 1948.* AN ACT To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes	June 29, 1948	1105
835	*Bureau of Reclamation, payments to school districts.* AN ACT To authorize appropriations for the Bureau of Reclamation for payments to school districts on certain projects during their construction status	June 29, 1948	1108
836	*Postmasters.* AN ACT To amend the Act of July 6, 1945 (Public Law 134)	June 29, 1948	1108
837	*D. C. Appropriation Act, 1903, amendment.* AN ACT To amend section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended	June 29, 1948	1108
838	*National Service Life Insurance Act of 1940, amendment.* AN ACT To amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewal of level premium term insurance for a second five-year period, and for other purposes	June 29, 1948	1109
839	*Federal Works Agency, assistance to school agencies.* AN ACT To provide assistance to certain local school agencies overburdened with war-incurred, or postwar national-defense-incurred, enrollments	June 29, 1948	1110
840	*Federal Airport Act, amendment.* AN ACT To amend the Federal Airport Act	June 29, 1948	1111
841	*Interior Department Appropriation Act, 1949.* AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes	June 29, 1948	1112
842	*National Freedom Day.* JOINT RESOLUTION Requesting the President to proclaim February 1 as National Freedom Day	June 30, 1948	1150
843	*International Labor Organization.* JOINT RESOLUTION Providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States	June 30, 1948	1151
844	*Interstate compact, Mich., Minn., and Wis.* JOINT RESOLUTION Consenting to an interstate boundary compact by and between the States of Michigan, Minnesota, and Wisconsin	June 30, 1948	1152
845	*Water Pollution Control Act.* AN ACT To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes	June 30, 1948	1155
846	*Sac and Fox Indian Reservation, Iowa.* AN ACT To confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation	June 30, 1948	1161

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847	*Oregon Short Line Railroad Company, etc., validation of certain conveyances.* AN ACT Validating certain conveyances of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company and waiving, relinquishing, and disclaiming all title and all right of reverter and forfeiture of the United States of America to the lands described in said conveyances	June 30, 1948	1161
848	*Post Office Department, pneumatic-tube facilities.* AN ACT To provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes	June 30, 1948	1163
849	*Office of the Comptroller of the Currency, retirement system.* AN ACT To terminate the retirement system of the Office of the Comptroller of the Currency, and to transfer that retirement fund to the Civil Service Retirement and Disability Fund	June 30, 1948	1163
850	*Postal Service, credit for certain service.* AN ACT To include as allowable service under the Act of July 6, 1945, service performed in the military forces and on war transfer by employees in the field service of the Post Office Department	June 30, 1948	1165
851	*Mammoth Cave National Park, Ky.* AN ACT To amend section 11 of the Act approved June 5, 1942 (56 Stat. 317), relating to Mammoth Cave National Park in the State of Kentucky, and for other purposes	June 30, 1948	1165
852	*California, Indians.* AN ACT To amend the Act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein	June 30, 1948	1166
853	*Liquidation of U. S. mineral interests.* AN ACT To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes	June 30, 1948	1166
854	*Fort Hall Indian Irrigation Project, Idaho.* AN ACT To promote the interests of the Fort Hall Indian Irrigation project, Idaho, and for other purposes	June 30, 1948	1167
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856	*Land patents.* AN ACT Authorizing the Secretary of the Interior to issue patents for lands held under color of title	June 30, 1948	1171
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861	*Insanity proceedings, D. C.* AN ACT To amend section 2 of the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939	June 30, 1948	1195
862	*Supplemental Independent Offices Appropriation Act, 1949.* AN ACT Making supplemental appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes	June 30, 1948	1196
863	*Immigration Act of 1917, amendment.* AN ACT To amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes	July 1, 1948	1206
864	*Federal National Mortgage Association.* AN ACT To amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes	July 1, 1948	1206
865	*Philippines, grants-in-aid.* AN ACT To assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain veterans	July 1, 1948	1210

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866	*U. S. Maritime Commission, continuance of certain authority.* JOINT RESOLUTION To continue until March 1, 1949, the authority of the United States Maritime Commission to make provision for certain ocean transportation service to, from, and within Alaska	July 1, 1948	1211
867	*Gorgas Memorial Laboratory.* AN ACT To authorize an increase in the annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory	July 1, 1948	1213
868	*Veterans Regulations, amendments.* AN ACT To increase the rates of service-connected death compensation payable to certain widows, children, and dependent parents of persons who served in the active military or naval service, and for other purposes	July 1, 1948	1213
869	*Internal Revenue Code, amendment.* JOINT RESOLUTION Relating to the marital deduction, for estate-tax purposes, in the case of life insurance or annuity payments	July 1, 1948	1214
870	*Crow Indians.* AN ACT To provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees, and to provide for the sale of certain lands to the Board of County Commissioners of Comanche County, Oklahoma, and for other purposes	July 1, 1948	1214
871	*Armed forces, markers for graves.* AN ACT To provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the armed forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes	July 1, 1948	1215
872	*Civil Aeronautics Act of 1938, amendments.* AN ACT To amend the Civil Aeronautics Act of 1938 by redefining certain powers of the Administrator, by authorizing delegation of certain powers by the Civil Aeronautics Board to the Administrator, and for other purposes	July 1, 1948	1216
873	*Red Lake Band of Chippewa Indians.* AN ACT Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation	July 1, 1948	1218
874	*Trading With the Enemy Act, amendment.* AN ACT To amend the Trading With the Enemy Act	July 1, 1948	1218
875	*Bridge, Rio Grande.* AN ACT To extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Texas	July 2, 1948	1219
876	*Veterans Regulations, amendment.* AN ACT To provide that the rates of compensation for disabilities incurred in active military or naval service other than in a period of war service shall be equal to 80 per centum of the rates payable for similar disabilities incurred during active service in time of war	July 2, 1948	1219
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878	*Pensacola National Monument, Fla.* AN ACT To provide for the establishment of the Pensacola National Monument	July 2, 1948	1220
879	*Civil Service Retirement Act of 1930, amendment.* AN ACT To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain Federal employees who have rendered at least twenty years' service in the investigation, apprehension, or detention of persons suspected or convicted of offenses against the United States	July 2, 1948	1221
880	*Motor Carrier Claims Commission.* AN ACT To create a commission to hear and determine the claims of certain motor carriers	July 2, 1948	1222
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882	*Philippine Rehabilitation Act of 1946, amendments.* AN ACT To amend the Philippine Rehabilitation Act of 1946 in connection with the training of Filipinos as provided for in title III	July 2, 1948	1224
883	*National Industrial Reserve Act of 1948.* AN ACT To promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes	July 2, 1948	1225
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885	*Okaloosa County, Fla., conveyance.* AN ACT To authorize the Secretary of the Army to sell and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Florida, and for other purposes	July 2, 1948	1229
886	*Japanese evacuation claims.* AN ACT To authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders	July 2, 1948	1231
887	*Wyoming, land conveyance.* AN ACT Authorizing the conveyance of certain lands in Park County, Wyoming, to the State of Wyoming	July 2, 1948	1233
888	*Veterans' Preference Act of 1944, amendment.* AN ACT To amend the Veterans' Preference Act of 1944 to extend the benefits of such Act to certain mothers of veterans	July 2, 1948	1233
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890	*Alcohol plants, transfer.* AN ACT To provide for making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Missouri, and Omaha, Nebraska, for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes	July 2, 1948	1234
891	*San Diego, Calif., conveyance.* AN ACT To authorize an exchange of lands and interests therein between the city of San Diego, California, and the United States, and for other purposes	July 2, 1948	1235
892	*Confederated Tribes of Warm Springs Reservation, Oreg.* AN ACT To provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes	July 3, 1948	1237
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894	*Juliette Low, commemorative stamp.* JOINT RESOLUTION To authorize the issuance of a special series of stamps commemorative of Juliette Low, founder and organizer of Girl Scouting in the United States of America	July 3, 1948	1239
895	*Home Owners' Loan Act of 1933, amendment.* AN ACT To amend section 5, Home Owners' Loan Act of 1933, and for other purposes	July 3, 1948	1239
896	*War Claims Act of 1948.* AN ACT To amend the Trading with the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases	July 3, 1948	1240
897	*Agricultural Act of 1948.* AN ACT To authorize the Secretary of Agriculture to stabilize prices of agricultural commodities; to amend section 22 of the Agricultural Adjustment Act, reenacted by the Agricultural Marketing Agreement Act of 1937; and for other purposes	July 3, 1948	1247
898	*Atomic Energy Commission.* AN ACT To provide for extension of the terms of office of the present members of the Atomic Energy Commission	July 3, 1948	1259
899	*Internal Revenue Code, amendments.* AN ACT To permit refund or credit to brewers of taxes paid on beer lost in bottling operations	July 3, 1948	1259
900	*Postal Rate Revision and Federal Employees Salary Act of 1948.* AN ACT To provide for permanent postal rates and to provide pay increases for Government employees	July 3, 1948	1260
901	*Housing Act of 1948.* AN ACT To amend the National Housing Act, as amended, and for other purposes	Aug. 10, 1948	1268
902	*Report of Joint Committee on Labor-Management Relations.* JOINT RESOLUTION To provide for an extension of time within which the Joint Committee on Labor-Management Relations shall make its final report	Aug. 10, 1948	1286
903	*United Nations, loan agreement.* JOINT RESOLUTION To authorize the President, following appropriation of the necessary funds by the Congress, to bring into effect on the part of the United States the loan agreement of the United States of America and the United Nations signed at Lake Success, New York, March 23, 1948	Aug. 11, 1948	1286

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904	*Supplemental Appropriation Act, 1949.* JOINT RESOLUTION Making appropriations for the Housing and Home Finance Agency and the Veterans' Administration	Aug. 13, 1948	1289
905	*Inflation controls.* JOINT RESOLUTION To aid in protecting the Nation's economy against inflationary pressures	Aug. 16, 1948	1291
906	*Commission on Organization of the Executive Branch of the Government.* JOINT RESOLUTION To extend for sixty days the time within which the Commission on Organization of the Executive Branch of the Government may make a report of its findings and recommendations, and for other purposes	Dec. 31, 1948	1292

PUBLIC LAWS

PUBLIC LAWS

ENACTED DURING THE

SECOND SESSION OF THE EIGHTIETH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Tuesday, January 6, 1948, and adjourned sine die on Friday, December 31, 1948

HARRY S. TRUMAN, President; ARTHUR H. VANDENBERG, President of the Senate *pro tempore;* JOSEPH W. MARTIN, Jr., Speaker of the House of Representatives.

[CHAPTER 1]

AN ACT

To extend veterans' preference benefits to widowed mothers of certain ex-servicemen and ex-servicewomen.

January 19, 1948
[H. R. 1426]
[Public Law 396]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Veterans' Preference Act of 1944 is amended by striking out the period at the end thereof and inserting a semicolon and the following: "(5) widowed mothers (if they have not remarried and were widows at the time of the death or disability of their ex-serviceman son or ex-servicewoman daughter)—

Veterans' Preference Act of 1944, amendments.
58 Stat. 387.
5 U. S. C. § 851.
Post, p. 1233.
Widowed mothers of deceased or disabled ex-servicemen.

"(A) of deceased ex-servicemen or ex-servicewomen who lost their lives while on active duty in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized), or

"(B) of service-connected permanently and totally disabled ex-servicemen or ex-servicewomen,

if said ex-serviceman or ex-servicewoman was separated from such armed forces under honorable conditions; and (6) a mother of a deceased ex-serviceman or ex-servicewoman who lost his or her life while on active duty in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized), or of a service-connected permanently and totally disabled ex-serviceman or ex-servicewoman, if (A) said ex-serviceman or ex-servicewoman was separated from such armed forces under honorable conditions, (B) the mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother".

Mother of deceased or disabled ex-serviceman.

SEC. 2. Section 3 of the Veterans' Preference Act of 1944 is amended by striking out "and (3)," after the second comma in the first sentence, and inserting the following: "(3), (5) and (6),".

58 Stat. 388.
5 U. S. C. § 852; Supp. I, § 852 note.

SEC. 3. Section 10 of the Veterans' Preference Act of 1944 is amended by striking out "and (3)" and inserting "(3), (5) and (6)".

58 Stat. 390.
5 U. S. C. § 859.

Approved January 19, 1948.

[CHAPTER 2]

AN ACT

January 19, 1948
[H. R. 3146]
[Public Law 397]

To amend section 3 of the Flood Control Act approved August 28, 1937, and for other purposes.

Flood control.
50 Stat. 877.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Flood Control Act approved August 28, 1937, is amended to read as follows:

Surveys authorized.

"SEC. 3. That, in order to further the declaration of policy and principles declared in sections 1 and 2 of the Flood Control Act approved June 22, 1936, and to supplement the preliminary examinations and surveys which the Secretary of War has heretofore been, or is hereafter, authorized and directed to make of waterways with a view to the control of their floods, the Secretary of Agriculture be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for run-off and water-flow retardation and soil-erosion prevention on the watersheds of said waterways, the costs thereof to be paid from appropriations heretofore or hereafter made for such purposes."

49 Stat. 1570.
33 U. S. C. §§ 701a, 701b.

Report to Congress.

SEC. 2. After the Secretary of Agriculture has submitted to Congress a regular or formal report made on any examination or survey, pursuant to the Flood Control Act approved June 22, 1936, as amended and supplemented, a supplemental, additional, or review report or estimate may be made if authorized by law or by resolution of the Committee on Public Works of the House of Representatives or the Committee on Public Works of the Senate.

49 Stat. 1570.
33 U. S. C. §§ 701a-701f, 701h.

Approved January 19, 1948.

[CHAPTER 3]

AN ACT

January 19, 1948
[H. R. 4055]
[Public Law 398]

To provide increases in the rates of pension payable to veterans of Indian wars and the dependents of such veterans.

Veterans of Indian wars.
Pension rates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all monthly rates of pension payable to veterans of the Indian wars and dependents of such veterans which are payable under any public laws administered by the Veterans' Administration are hereby increased by 20 per centum.

The increases provided by this section shall be effective from the first day of the second calendar month following the date of enactment of this Act.

Approved January 19, 1948.

[CHAPTER 16]

AN ACT

January 26, 1948
[S. 1020]
[Public Law 399]

To amend the Philippine Rehabilitation Act of 1946, as amended.

Philippine War Damage Commission employees.
60 Stat. 128.
50 U. S. C. app. § 1751 (b).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 (b) of the Philippine Rehabilitation Act of 1946, as amended, is amended by inserting after the word "employees," the following: "who shall be entitled to accumulate annual leave to the maximum of ninety work days exclusive of the time actually and necessarily occupied in going to and from the continental United States and such time as may be necessarily occupied in awaiting sailing or flight,".

60 Stat. 128.
50 U. S. C. app. § 1751 (c).

SEC. 2. Subsection (c) of section 101 of such Act, as amended, is amended by inserting after the words "Commonwealth of the Philippines" the following: "(or the Republic of the Philippines)".

SEC. 3. Subsection (a) of section 106 of such Act, as amended, is amended to read as follows:

60 Stat. 131.
50 U. S. C. app. § 1756 (a).

"SEC. 106. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the amount of $400,000,000 for the purpose of paying compensation to the extent authorized by this title, and of such sum, not to exceed $12,000,000 shall be available to pay the expenses of the Commission. All moneys heretofore or hereinafter appropriated under authority of this title shall remain available until April 30, 1951."

Appropriation authorized.

Availability of funds.

Approved January 26, 1948.

[CHAPTER 17]

AN ACT

To amend the Civil Service Retirement Act so as to make such Act applicable to the officers and employees of the National Library for the Blind.

January 26, 1948
[S. 1324]
[Public Law 400]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Civil Service Retirement Act, approved May 29, 1930, as amended (U. S. C., title 5, section 693 (a)), is amended by inserting before the colon preceding the first proviso thereof a comma and the following: "and to all officers and employees of the National Library for the Blind at the election of such officers and employees as herein provided".

National Library for Blind.
Retirement of officers and employees.
46 Stat. 470.
5 U. S. C., Supp. I, § 693 (a).
Post, p. 49.

SEC. 2. Subsection (a) of section 3 of such Act is further amended by adding at the end thereof two new sentences as follows: "In the case of any officer or employee in the service of the National Library for the Blind on the effective date of this amendment, notice of desire to come within the purview of the Act must be given to the disbursing officer by whom his salary is paid within six months from the date of enactment of this Act. In the case of any officer or employee of the National Library for the Blind who enters the service of such Institution after the date of enactment of this amendment, such notice of desire to come within the purview of this Act must be given within six months after the date of entrance into such service."

SEC. 3. The first paragraph of section 5 of such Act is amended by inserting after "or the legislative branch of the Government" a comma and "and periods of service as an officer or employee of the National Library for the Blind".

46 Stat. 472.
5 U. S. C. § 707.
Post, p. 50.

SEC. 4. Any service rendered prior to the effective date of this Act as an officer or employee of the National Library for the Blind shall be considered creditable service for the purposes of section 9 of such Act.

Credit for prior service.
46 Stat. 475.
5 U. S. C. § 736b.
Post, p. 53.

Approved January 26, 1948.

[CHAPTER 35]

AN ACT

To amend section 2 of the Act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes, approved March 3, 1883 (22 Stat. 564).

January 27, 1948
[S. 929]
[Public Law 401]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of March 3, 1883 (22 Stat. 564), is hereby amended to read as follows:

U. S. Soldiers' Home, D. C.
24 U. S. C. § 60.

"SEC. 2. The Inspector General of the Army shall designate officers of the Inspector General's Department under his jurisdiction to inspect

Inspection.

thoroughly, once each year, the United States Soldiers' Home, Washington, District of Columbia, its records, accounts, management, discipline, and sanitary condition, and shall report thereon in writing to the Secretary of the Army, including in his report such suggestions as he desires to make."

Approved January 27, 1948.

[CHAPTER 36]

January 27, 1948
[H. R. 3342]
[Public Law 402]

AN ACT

To promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE, OBJECTIVES, AND DEFINITIONS

SHORT TITLE

United States Information and Educational Exchange Act of 1948.

SECTION 1. This Act may be cited as the "United States Information and Educational Exchange Act of 1948".

OBJECTIVES

SEC. 2. The Congress hereby declares that the objectives of this Act are to enable the Government of the United States to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries. Among the means to be used in achieving these objectives are—

(1) an information service to disseminate abroad information about the United States, its people, and policies promulgated by the Congress, the President, the Secretary of State and other responsible officials of Government having to do with matters affecting foreign affairs;

(2) an educational exchange service to cooperate with other nations in—

(a) the interchange of persons, knowledge, and skills;

(b) the rendering of technical and other services;

(c) the interchange of developments in the field of education, the arts, and sciences.

UNITED NATIONS

SEC. 3. In carrying out the objectives of this Act, information concerning the participation of the United States in the United Nations, its organizations and functions, shall be emphasized.

DEFINITIONS

SEC. 4. When used in this Act, the term—

"Secretary." (1) "Secretary" means the Secretary of State.

"Department." (2) "Department" means the Department of State.

"Government agency." (3) "Government agency" means any executive department, board, bureau, commission, or other agency of the Federal Government, or independent establishment, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

TITLE II—INTERCHANGE OF PERSONS, KNOWLEDGE AND SKILLS

PERSONS

SEC. 201. The Secretary is authorized to provide for interchanges on a reciprocal basis between the United States and other countries of students, trainees, teachers, guest instructors, professors, and leaders in fields of specialized knowledge or skill and shall wherever possible provide these interchanges by using the services of existing reputable agencies which are successfully engaged in such activity. The Secretary may provide for orientation courses and other appropriate services for such persons from other countries upon their arrival in the United States, and for such persons going to other countries from the United States. When any country fails or refuses to cooperate in such program on a basis of reciprocity the Secretary shall terminate or limit such program, with respect to such country, to the extent he deems to be advisable in the interests of the United States. The persons specified in this section shall be admitted as nonimmigrant visitors for business under clause 2 of section 3 of the Immigration Act of 1924, as amended (43 Stat. 154; 8 U. S. C. 203), for such time and under such conditions as may be prescribed by regulations promulgated by the Secretary of State and the Attorney General. A person admitted under this section who fails to maintain the status under which he was admitted or who fails to depart from the United States at the expiration of the time for which he was admitted, or who engages in activities of a political nature detrimental to the interests of the United States, or in activities not consistent with the security of the United States, shall, upon the warrant of the Attorney General, be taken into custody and promptly deported pursuant to section 14 of the Immigration Act of 1924 (43 Stat. 162, 8 U. S. C. 214). Deportation proceedings under this section shall be summary and the findings of the Attorney General as to matters of fact shall be conclusive. Such persons shall not be eligible for suspension of deportation under clause 2 of subdivision (c) of section 19 of the Immigration Act of February 5, 1917 (54 Stat. 671, 56 Stat. 1044; 8 U. S. C. 155).

Post, p. 227.

Termination or limitation of program.

Admission of persons; status.

Deportation authority.

Post, p. 1206.

BOOKS AND MATERIALS

SEC. 202. The Secretary is authorized to provide for interchanges between the United States and other countries of books and periodicals, including government publications, for the translation of such writings, and for the preparation, distribution, and interchange of other educational materials.

INSTITUTIONS

SEC. 203. The Secretary is authorized to provide for assistance to schools, libraries, and community centers abroad, founded or sponsored by citizens of the United States, and serving as demonstration centers for methods and practices employed in the United States. In assisting any such schools, however, the Secretary shall exercise no control over their educational policies and shall in no case furnish assistance of any character which is not in keeping with the free democratic principles and the established foreign policy of the United States.

TITLE III—ASSIGNMENT OF SPECIALISTS

PERSONS TO BE ASSIGNED

SEC. 301. The Secretary is authorized, when the government of another country is desirous of obtaining the services of a person having

Post, p. 227.

special scientific or other technical or professional qualifications, from time to time to assign or authorize the assignment for service, to or in cooperation with such government, any citizen of the United States in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving. No person shall be assigned for service to or in cooperation with the government of any country unless (1) the Secretary finds that such assignment is necessary in the national interest of the United States, or (2) such government agrees to reimburse the United States in an amount equal to the compensation, travel expenses, and allowances payable to such person during the period of such assignment in accordance with the provisions of section 302, or (3) such government shall have made an advance of funds, property, or services as provided in section 902. Nothing in this Act, however, shall authorize the assignment of such personnel for service relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

Infra.

Post, p. 13.

STATUS AND ALLOWANCES

SEC. 302. Any citizen of the United States, while assigned for service to or in cooperation with another government under the authority of this Act, shall be considered, for the purpose of preserving his rights, allowances, and privileges as such, an officer or employee of the Government of the United States and of the Government agency from which assigned and he shall continue to receive compensation from that agency. He may also receive, under such regulations as the President may prescribe, representation allowances similar to those allowed under section 901 (3) of the Foreign Service Act of 1946 (60 Stat. 999). The authorization of such allowances and other benefits and the payment thereof out of any appropriations available therefor shall be considered as meeting all the requirements of section 1765 of the Revised Statutes.

60 Stat. 1026.
22 U. S. C. § 1131 (3).

5 U. S. C. § 70.

ACCEPTANCE OF OFFICE UNDER ANOTHER GOVERNMENT

SEC. 303. Any citizen of the United States while assigned for service to or in cooperation with another government under authority of this Act may, at the discretion of his Government agency, with the concurrence of the Secretary, and without additional compensation therefor, accept an office under the government to which he is assigned, if the acceptance of such an office in the opinion of such agency is necessary to permit the effective performance of duties for which he is assigned, including the making or approving on behalf of such foreign government the disbursement of funds provided by such government or of receiving from such foreign government funds for deposit and disbursement on behalf of such government, in carrying out programs undertaken pursuant to this Act: *Provided, however*, That such acceptance of office shall in no case involve the taking of an oath of allegiance to another government.

Restriction.

TITLE IV—PARTICIPATION BY GOVERNMENT AGENCIES

GENERAL AUTHORITY

Post, p. 227.

SEC. 401. The Secretary is authorized, in carrying on any activity under the authority of this Act, to utilize, with the approval of the President, the services, facilities, and personnel of the other Govern-

ment agencies. Whenever the Secretary shall use the services, facilities, or personnel of any Government agency for activities under authority of this Act, the Secretary shall pay for such performance out of funds available to the Secretary under this Act, either in advance, by reimbursement, or direct transfer. The Secretary shall include in each report submitted to the Congress under section 1008 a statement of the services, facilities, and personnel of other Government agencies utilized in carrying on activities under the authority of this Act, showing the names and salaries of the personnel utilized, or performing services utilized, during the period covered by such report, and the amounts paid to such other agencies under this section as payment for such performance.

Report to Congress.
Post, p. 14.

TECHNICAL AND OTHER SERVICES

SEC. 402. A Government agency, at the request of the Secretary, may perform such technical or other services as such agency may be competent to render for the government of another country desirous of obtaining such services, upon terms and conditions which are satisfactory to the Secretary and to the head of the Government agency, when it is determined by the Secretary that such services will contribute to the purposes of this Act. However, nothing in this Act shall authorize the performance of services relating to the organization, training, operation, development, or combat equipment of the armed forces of a foreign government.

POLICY GOVERNING SERVICES

SEC. 403. In authorizing the performance of technical and other services under this title, it is the sense of the Congress (1) that the Secretary shall encourage through any appropriate Government agency the performance of such services to foreign governments by qualified private American individuals and agencies, and shall not enter into the performance of such services to any foreign government where such services may be performed adequately by qualified private American individuals and agencies and such qualified individuals and agencies are available for the performance of such services; (2) that if such services are rendered by a Government agency, they shall demonstrate the technical accomplishments of the United States, such services being of an advisory, investigative, or instructional nature, or a demonstration of a technical process; (3) that such services shall not include the construction of public works or the supervision of the construction of public works, and that, under authority of this Act, a Government agency shall render engineering services related to public works only when the Secretary shall determine that the national interest demands the rendering of such services by a Government agency, but this policy shall not be interpreted to preclude the assignment of individual specialists as advisers to other governments as provided under title III of this Act, together with such incidental assistance as may be necessary for the accomplishment of their individual assignments.

Limitation on services relating to public works.

Ante, p. 7.

TITLE V—DISSEMINATING INFORMATION ABOUT THE UNITED STATES ABROAD

GENERAL AUTHORIZATION

SEC. 501. The Secretary is authorized, when he finds it appropriate, to provide for the preparation, and dissemination abroad, of information about the United States, its people, and its policies, through press, publications, radio, motion pictures, and other information

Availability of press releases, etc.

media, and through information centers and instructors abroad. Any such press release or radio script, on request, shall be available in the English language at the Department of State, at all reasonable times following its release as information abroad, for examination by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and, on request, shall be made available to Members of Congress.

POLICIES GOVERNING INFORMATION ACTIVITIES

SEC. 502. In authorizing international information activities under this Act, it is the sense of the Congress (1) that the Secretary shall reduce such Government information activities whenever corresponding private information dissemination is found to be adequate; (2) that nothing in this Act shall be construed to give the Department a monopoly in the production or sponsorship on the air of short-wave broadcasting programs, or a monopoly in any other medium of information.

TITLE VI—ADVISORY COMMISSIONS TO FORMULATE POLICIES

SEC. 601. There are hereby created two advisory commissions, (1) United States Advisory Commission on Information (hereinafter in this title referred to as the Commission on Information) and (2) United States Advisory Commission on Educational Exchange (hereinafter in this title referred to as the Commission on Educational Exchange) to be constituted as provided in section 602. The Commissions shall formulate and recommend to the Secretary policies and programs for the carrying out of this Act: *Provided, however*, That the commissions created by this section shall have no authority over the Board of Foreign Scholarships or the program created by Public Law 584 of the Seventy-ninth Congress, enacted August 1, 1946, or the United States National Commission for UNESCO.

60 Stat. 754.
50 U. S. C. app. §§ 1619, 1641.

MEMBERSHIP OF THE COMMISSIONS; GENERAL PROVISIONS

SEC. 602. (a) Each Commission shall consist of five members, not more than three of whom shall be from any one political party. Members shall be appointed by the President, by and with the advice and consent of the Senate. No person holding any compensated Federal or State office shall be eligible for appointment.

(b) The members of the Commission on Information shall represent the public interest, and shall be selected from a cross section of professional, business, and public service backgrounds.

(c) The members of the Commission on Educational Exchange shall represent the public interest and shall be selected from a cross section of educational, cultural, scientific, technical, and public service backgrounds.

Term of office.

(d) The term of each member appointed under subsection (a) of this section shall be three years, except that the terms of office of such members first taking office on each Commission shall expire, as designated by the President at the time of appointment, two at the end of one year, two at the end of two years, and one at the end of three years from the date of the enactment of this Act. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor is appointed shall be appointed for the remainder of such term. Upon the expiration of his term of office any member may continue to serve until his successor is appointed and has qualified.

(e) The President shall designate a chairman for each Commission from among members of the Commission. Chairman.

(f) The members of the Commissions shall receive no compensation for their services as such members but shall be entitled to reimbursement for travel and subsistence in connection with attendance of meetings of the Commissions away from their places of residences, as provided in subsection (6) of section 801 of this Act. Compensation.

Post, p. 12.

(g) The Commissions are authorized to adopt such rules and regulations as they may deem necessary to carry out the authority conferred upon them by this title. Rules and regulations.

(h) The Department is authorized to provide the necessary secretarial and clerical assistance for the Commissions.

RECOMMENDATIONS AND REPORTS

SEC. 603. The Commissions shall meet not less frequently than once each month during the first six months after their establishment, and thereafter at such intervals as the Commissions find advisable, and shall transmit to the Secretary a quarterly report, and to the Congress a semiannual report of all programs and activities carried on under the authority of this Act, including appraisals, where feasible, as to the effectiveness of the several programs, and such recommendations as shall have been made by the Commissions to the Secretary for effectuating the purposes and objectives of this Act and the action taken to carry out such recommendations.

TITLE VII—APPROPRIATIONS

GENERAL AUTHORIZATION

SEC. 701. Appropriations to carry out the purposes of this Act are hereby authorized. *Post*, pp. 226, 312.

TRANSFER OF FUNDS

SEC. 702. The Secretary shall authorize the transfer to other Government agencies for expenditure in the United States and in other countries, in order to carry out the purposes of this Act, any part of any appropriations available to the Department for carrying out the purposes of this Act, for direct expenditure or as a working fund, and any such expenditures may be made under the specific authority contained in this Act or under the authority governing the activities of the Government agency to which a part of any such appropriation is transferred, provided the activities come within the scope of this Act.

TITLE VIII—ADMINISTRATIVE PROCEDURES

THE SECRETARY

SEC. 801. In carrying out the purposes of this Act, the Secretary is authorized, in addition to and not in limitation of the authority otherwise vested in him—

(1) In carrying out title II of this Act, within the limitation of such appropriations as the Congress may provide, to make grants of money, services, or materials to State and local governmental institutions in the United States, to governmental institutions in other countries, and to individuals and public or private nonprofit organizations both in the United States and in other countries; Grants of funds, etc. *Ante*, p. 7.

(2) to furnish, sell, or rent, by contract or otherwise, educational and information materials and equipment for dissemination to, or use by, peoples of foreign countries;

Radio facilities. *Ante*, p. 9.

(3) whenever necessary in carrying out title V of this Act, to purchase, rent, construct, improve, maintain, and operate facilities for radio transmission and reception, including the leasing of real property both within and without the continental limits of the United States for periods not to exceed ten years, or for longer periods if provided for by the appropriation Act;

(4) to provide for printing and binding outside the continental limits of the United States, without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111);

40 Stat. 1270.

(5) to employ, without regard to the civil-service and classification laws, when such employment is provided for by the appropriation Act, (i) persons on a temporary basis, and (ii) aliens within the United States, but such employment of aliens shall be limited to services related to the translation or narration of colloquial speech in foreign languages when suitably qualified United States citizens are not available; and

Advisory committees.

(6) to create, with the approval of the Commission on Information and the Commission on Educational Exchange, such advisory committees as the Secretary may decide to be of assistance in formulating his policies for carrying out the purposes of this Act. No committee member shall be allowed any salary or other compensation for services; but he may be paid his actual transportation expenses, and not to exceed $10 per diem in lieu of subsistence and other expenses, while away from his home in attendance upon meetings within the United States or in consultation with the Department under instructions.

GOVERNMENT AGENCIES

SEC. 802. In carrying on activities which further the purposes of this Act, subject to approval of such activities by the Secretary, the Department and the other Government agencies are authorized—

(1) to place orders and make purchases and rentals of materials and equipment;

(2) to make contracts, including contracts with governmental agencies, foreign or domestic, including subdivisions thereof, and intergovernmental organizations of which the United States is a member, and, with respect to contracts entered into in foreign countries, without regard to section 3741 of the Revised Statutes (41 U. S. C. 22);

(3) under such regulations as the Secretary may prescribe, to pay the transportation expenses, and not to exceed $10 per diem in lieu of subsistence and other expenses, of citizens or subjects of other countries, without regard to the Standardized Government Travel Regulations and the Subsistence Act of 1926, as amended; and

44 Stat. 688. 5 U. S. C. § 821.

(4) to make grants for, and to pay expenses incident to, training and study.

MAXIMUM USE OF EXISTING GOVERNMENT PROPERTY AND FACILITIES

SEC. 803. In carrying on activities under this Act which require the utilization of Government property and facilities, maximum use shall be made of existing Government property and facilities.

TITLE IX—FUNDS PROVIDED BY OTHER SOURCES

REIMBURSEMENT

SEC. 901. The Secretary shall, when he finds it in the public interest, request and accept reimbursement from any cooperating governmental or private source in a foreign country, or from State or local governmental institutions or private sources in the United States, for all or part of the expenses of any portion of the program undertaken hereunder. The amounts so received shall be covered into the Treasury as miscellaneous receipts.

ADVANCE OF FUNDS

SEC. 902. If any other government shall express the desire to provide funds, property, or services to be used by this Government, in whole or in part, for the expenses of any specific part of the program undertaken pursuant to this Act, the Secretary is authorized, when he finds it in the public interest, to accept such funds, property, or services. Funds so received may be established as a special deposit account in the Treasury of the United States, to be available for the specified purpose, and to be used for reimbursement of appropriations or direct expenditure, subject to the provisions of this Act. Any unexpended balance of the special deposit account and other property received under this section and no longer required for the purposes for which provided shall be returned to the government providing the funds or property.

TITLE X—MISCELLANEOUS

LOYALTY CHECK ON PERSONNEL

SEC. 1001. No citizen or resident of the United States, whether or not now in the employ of the Government, may be employed or assigned to duties by the Government under this Act until such individual has been investigated by the Federal Bureau of Investigation and a report thereon has been made to the Secretary of State: *Provided, however,* That any present employee of the Government, pending the report as to such employee by the Federal Bureau of Investigation, may be employed or assigned to duties under this Act for the period of six months from the date of its enactment. This section shall not apply in the case of any officer appointed by the President by and with the advice and consent of the Senate.

Employment pending report of FBI.

DELEGATION OF AUTHORITY

SEC. 1002. The Secretary may delegate, to such officers of the Government as the Secretary determines to be appropriate, any of the powers conferred upon him by this Act to the extent that he finds such delegation to be in the interest of the purposes expressed in this Act and the efficient administration of the programs undertaken pursuant to this Act.

RESTRICTED INFORMATION

SEC. 1003. Nothing in this Act shall authorize the disclosure of any information or knowledge in any case in which such disclosure (1) is prohibited by any other law of the United States, or (2) is inconsistent with the security of the United States.

REPEAL OF ACT OF MAY 25, 1938, AS AMENDED

SEC. 1004. (a) The Act of May 25, 1938, entitled "An Act authorizing the temporary detail of United States employees, possessing special

5 U. S. C. § 118e.

qualifications, to governments of American Republics and the Philippines, and for other purposes," as amended (52 Stat. 442; 53 Stat. 652), is hereby repealed.

Executive orders and regulations.

(b) Existing Executive orders and regulations pertaining to the administration of such Act of May 25, 1938, as amended, shall remain in effect until superseded by regulations prescribed under the provisions of this Act.

22 U. S. C. § 801 *et seq.*

(c) Any reference in the Foreign Service Act of 1946 (60 Stat. 999), or in any other law, to provisions of such Act of May 25, 1938, as amended, shall be construed to be applicable to the appropriate provisions of titles III and IX of this Act.

Ante, pp. 7, 13.

UTILIZATION OF PRIVATE AGENCIES

SEC. 1005. In carrying out the provisions of this Act it shall be the duty of the Secretary to utilize, to the maximum extent practicable, the services and facilities of private agencies, including existing American press, publishing, radio, motion picture, and other agencies, through contractual arrangements or otherwise. It is the intent of Congress that the Secretary shall encourage participation in carrying out the purposes of this Act by the maximum number of different private agencies in each field consistent with the present or potential market for their services in each country.

TERMINATION PURSUANT TO CONCURRENT RESOLUTION OF CONGRESS

SEC. 1006. The authority granted under this Act shall terminate whenever such termination is directed by concurrent resolution of the two Houses of the Congress.

VETERANS' PREFERENCE ACT

SEC. 1007. No provision of this Act shall be construed to modify or to repeal the provisions of the Veterans' Preference Act of 1944.

58 Stat. 387.
5 U. S. C. §§ 851-869; Supp. I, §§ 852 note, 863.
Ante, p. 3; *post*, pp. 575, 1233.

REPORTS TO CONGRESS

SEC. 1008. The Secretary shall submit to the Congress semiannual reports of expenditures made and activities carried on under authority of this Act, inclusive of appraisals and measurements, where feasible, as to the effectiveness of the several programs in each country where conducted.

REGULATORY PROVISIONS TO APPLY TO ALL INTERNATIONAL INFORMATION ACTIVITIES AND EDUCATIONAL EXCHANGES OF STATE DEPARTMENT

SEC. 1009. All provisions in this Act regulating the administration of international information activities and educational exchanges provided herein, shall apply to all such international activities under jurisdiction of the Department of State.

SEPARABILITY OF PROVISIONS

SEC. 1010. If any provision of this Act or the application of any such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Approved January 27, 1948.

[CHAPTER 38]

JOINT RESOLUTION

Providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor.

January 28, 1948
[H. J. Res. 232]
[Public Law 403]

Whereas delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America attended the South Seas Conference held at Canberra, Australia, and signed an "Agreement Establishing the South Pacific Commission" on February 6, 1947; and

South Pacific Commission.

Whereas the purpose of the South Pacific Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the South Pacific in accordance with the principles set forth in chapter XI of the Charter of the United Nations, thereby contributing to the maintenance of international peace and security: Therefore be it

59 Stat. 1048.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the South Pacific Commission, created by the Agreement Establishing the South Pacific Commission, signed on February 6, 1947, at Canberra, Australia, by delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, and their alternates, thereto.

Acceptance of membership for U. S.

SEC. 2. When used in this joint resolution—

(1) the term "Secretary" means the Secretary of State;

"Secretary."

(2) the term "Government agency" means any department, independent establishment, or other agency of the Government of the United States, or any corporation wholly owned by the Government of the United States; and

"Government agency."

(3) the term "Commission" means the South Pacific Commission.

"Commission."

SEC. 3. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated—

Appropriation authorized.
Post, p. 309.

(a) Not more than $20,000 annually for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the Agreement Establishing the South Pacific Commission;

U. S. share of expenses.

(b) Such additional sums as may be needed for the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, and appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to

42 Stat. 1488.
5 U. S. C. §§ 661-674.
60 Stat. 810.
5 U. S. C. § 55a.
40 Stat. 1270.
41 U. S. C. § 5.

participation by the United States in the activities of the Commission: *Provided*, That the provisions of section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b).

60 Stat. 714.
22 U. S. C. § 287r.

Detail of employees.

SEC. 4. The Secretary is authorized, when the Commission is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, from time to time to detail, or authorize the detail of, for temporary service to or in cooperation with the Commission, any person in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving, under the same conditions as those governing the detail of officers and employees of the United States Government to the government of another country in accordance with the provisions of the Act of May 25, 1938 (52 Stat. 442), as amended, except that the authority vested in the President under that Act shall be vested in the Secretary for the purpose of carrying out this section.

5 U. S. C. § 118e.
Ante, p. 13.

Approved January 28, 1948.

[CHAPTER 41]

AN ACT

January 31, 1948
[H. R. 3645]
[Public Law 404]

Relating to the exchange of certain private and Federal properties within Gettysburg National Military Park, Pennsylvania, and for other purposes.

Gettysburg National Military Park, Pa.
Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of consolidating Federal holdings of land within Gettysburg National Military Park, Pennsylvania, the Secretary of the Interior is hereby authorized, in his discretion, to accept, on behalf of the United States, approximately four acres of non-Federal land within the park boundaries, such land to be conveyed to the United States without cost by the Evergreen Cemetery Association, of Gettysburg. Upon acceptance of title thereto by the United States, such property shall be subject to all laws and regulations applicable to the park. In exchange for the conveyance to the United States of the aforesaid property, the Secretary of the Interior is authorized to convey to the Evergreen Cemetery Association approximately one and one-quarter acres of federally owned land within the park, such property constituting a right-of-way through the Evergreen Cemetery property: *Provided*, That the aforesaid exchange shall be consummated only upon condition that the Secretary is satisfied that such exchange is in the public interest and that the properties to be exchanged are of approximately equal value.

Condition.

Approved January 31, 1948.

[CHAPTER 42]

JOINT RESOLUTION

February 2, 1948
[S. J. Res. 179]
[Public Law 405]

To change the date for filing the report of the Joint Committee on the Economic Report.

60 Stat. 25, 838.
15 U. S. C. § 1024 (b) (3).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (b) (3) of the Employment Act of 1946, as amended, is amended by striking out "February 1" and inserting in lieu thereof "March 1".

Approved February 2, 1948.

[CHAPTER 44]

AN ACT

February 5, 1948
[H. R. 2361]
[Public Law 406]

To authorize the filing of actions in State courts to quiet title to lands described in a treaty between the United States and the Delaware Indians, dated October 3, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) an action may be brought by any person against any Indian or the heirs of any Indian, and/or the unknown heirs, devisees, or assigns of any Indian, who was or were granted, or was or were to have granted to him or them, land by virtue of a treaty between the United States and the Delaware Indians, dated October 3, 1818 (7 Stat. 188), which contained a condition that such lands should never be conveyed or transferred without the approbation of the President of the United States, for the purpose of determining and quieting the question of title to such land, in cases where there is no deed or record showing a conveyance by the Indian, or his heirs, to whom the land was granted, and where the records of the county in which the land is located show that the present record owners, or their grantees, immediate and remote, have claimed title to said land and have paid the taxes on said land for more than seventy-five years.

Indian lands.
Actions to quiet title.

(b) Such actions may be brought in the State courts having jurisdiction, in the county in which such real estate is located, to hear actions to quiet title, shall be brought in the same manner and under the same rules as other suits may be brought to quiet title where there is a defect in the record title to real estate, and service may be had on the Indian, or his heirs, to whom the real estate was granted, and/or his unknown heirs and assigns, in the same manner as service may be acquired upon persons generally, and their unknown heirs and assigns, in suits to quiet title in such State court, the same as though such treaty had not contained any condition or requirement with respect to securing the approbation of the President of the United States prior to the making of any conveyance or transfer of such lands, the same as though such Indians had never been wards of the United States, and regardless of whether or not the heirs of such Indians are now wards of the United States.

Jurisdiction of courts.

(c) Any Indian who is now a ward of the Government of the United States who may or might have any right, interest, or title in or to any of the lands granted to an Indian or Indians under such treaty shall assert such right, title, or interest not later than September 1, 1948, if such right, title, or interest would be barred or extinguished except for the fact that such Indian is a ward of the Government of the United States; and any such right, title, or interest which otherwise would be barred, shall not be asserted after September 1, 1948.

Wards of U. S. Government.

Approved February 5, 1948.

[CHAPTER 45]

AN ACT

February 5, 1948
[H. R. 3322]
[Public Law 407]

To empower the Secretary of the Interior to grant rights-of-way for various purposes across lands of individual Indians or Indian tribes, communities, bands or nations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, empowered to grant rights-of-way for all purposes, subject to such conditions as he may prescribe, over and across any lands now or hereafter held in trust by the United States for individual Indians or Indian tribes, communities, bands,

Indian lands.
Rights-of-way.

or nations, or any lands now or hereafter owned, subject to restrictions against alienation, by individual Indians or Indian tribes, communities, bands, or nations, including the lands belonging to the Pueblo Indians in New Mexico, and any other lands heretofore or hereafter acquired or set aside for the use and benefit of the Indians.

25 U. S. C. §§ 461-479.
25 U. S. C. § 473a; 48 U. S. C. § 358a.
25 U. S. C. §§ 501-509; Supp. I, § 502.
Post, p. 991.

SEC. 2. No grant of a right-of-way over and across any lands belonging to a tribe organized under the Act of June 18, 1934 (48 Stat. 984), as amended; the Act of May 1, 1936 (49 Stat. 1250); or the Act of June 26, 1936 (49 Stat. 1967), shall be made without the consent of the proper tribal officials. Rights-of-way over and across lands of individual Indians may be granted without the consent of the individual Indian owners if (1) the land is owned by more than one person, and the owners or owner of a majority of the interests therein consent to the grant; (2) the whereabouts of the owner of the land or an interest therein are unknown, and the owners or owner of any interests therein whose whereabouts are known, or a majority thereof, consent to the grant; (3) the heirs or devisees of a deceased owner of the land or an interest therein have not been determined, and the Secretary of the Interior finds that the grant will cause no substantial injury to the land or any owner thereof; or (4) the owners of interests in the land are so numerous that the Secretary finds it would be impracticable to obtain their consent, and also finds that the grant will cause no substantial injury to the land or any owner thereof.

Grants without owners' consent.

Compensation.

SEC. 3. No grant of a right-of-way shall be made without the payment of such compensation as the Secretary of the Interior shall determine to be just. The compensation received on behalf of the Indian owners shall be disposed of under rules and regulations to be prescribed by the Secretary of the Interior.

16 U. S. C. §§ 792-825r; Supp. I, § 809 note.
Post, p. 275.

SEC. 4. This Act shall not in any manner amend or repeal the provisions of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended by the Act of August 26, 1935 (49 Stat. 838), nor shall any existing statutory authority empowering the Secretary of the Interior to grant rights-of-way over Indian lands be repealed hereby.

Rights-of-way for use of U. S.

SEC. 5. Rights-of-way for the use of the United States may be granted under this Act upon application by the department or agency having jurisdiction over the activity for which the right-of-way is to be used.

Regulations.

SEC. 6. The Secretary of the Interior is hereby authorized to prescribe any necessary regulations for the purpose of administering the provisions of this Act.

Effective date.

SEC. 7. This Act shall not become operative until thirty days after its approval.

Approved February 5, 1948.

[CHAPTER 46]

February 5, 1948
[H. R. 3326]
[Public Law 408]

AN ACT

To provide for the granting of certificates of competency to certain members of the Osage Indian Tribe in Oklahoma, and for other purposes.

Osage Indian Tribe. Certificates of competency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall issue a certificate of competency to each member of the Osage Tribe of less than one-half Indian blood heretofore or hereafter attaining the age of twenty-one years; and shall thereupon pay and deliver to such member, or to his legal guardian if such member has been declared incompetent by a court of competent jurisdiction, all money, property, and funds theretofore accrued or here-

after accruing to the individual credit of such member; and all payments to the legal guardian of such member may be expended without the approval of the superintendent of the Osage Agency: *Provided*, That all restrictions against alienation of the property of every kind and character, except headright shares or interests in the Osage tribal mineral estate, of members of the Osage Tribe who now have, or may hereafter receive, a certificate of competency, are hereby removed.

Removal of restrictions.

Approved February 5, 1948.

[CHAPTER 48]

AN ACT

To amend the Act of June 28, 1935, entitled "An Act to authorize participation by the United States in the Interparliamentary Union".

February 6, 1948
[S. 1005]
[Public Law 409]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, the Act of June 28, 1935 (49 Stat. 425; 22 U. S. C. 276), is hereby amended to read as follows:

Interparliamentary Union.

"An appropriation of $30,000 annually is hereby authorized, $15,000 of which shall be for the annual contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of international arbitration; and $15,000, or so much thereof as may be necessary, to assist in meeting the expenses of the American group of the Interparliamentary Union for each fiscal year for which an appropriation is made, such appropriation to be disbursed on vouchers to be approved by the President and the executive secretary of the American group."

Appropriation authorized.
Post, p. 308.

Approved February 6, 1948.

[CHAPTER 51]

AN ACT

Making it a petty offense to enter any national-forest land while it is closed to the public.

February 10, 1948
[H. R. 1826]
[Public Law 410]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, without lawful authority or permission, shall go upon any national-forest land while it is closed to the public by or under authority of a regulation of the Secretary of Agriculture made pursuant to law shall be fined not more than $500, or imprisoned without hard labor not more than six months, or both: *Provided*, That nothing herein shall be construed to limit the authority of the Secretary of Agriculture under other law to otherwise provide for regulating the occupancy and use of national-forest lands and lands administered by the Forest Service.

National-forest land.
Unlawful entry.

Approved February 10, 1948.

[CHAPTER 52]

AN ACT

To provide increased subsistence allowance to veterans pursuing certain courses under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

February 14, 1948
[S. 1394]
[Public Law 411]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended, as precedes the proviso, is hereby amended to read as follows:

Veterans' subsistence allowances.
58 Stat. 289.
38 U. S. C., Supp. I, note foll. § 733.
Post, p. 208.

"6. While enrolled in and pursuing a course under this part, such person, upon application to the Administrator, shall be paid a subsistence allowance of $65 per month, if without a dependent or dependents, or $90 per month, if he has a dependent or dependents, including regular holidays and leave not exceeding thirty days in a calendar year: Except, That while enrolled in and pursuing a course of full-time institutional training under this part, such person, upon application to the Administrator, shall be paid a subsistence allowance of $75 per month, if without a dependent or dependents, or $105 per month if he has one dependent, or $120 per month if he has more than one dependent, including regular holidays and leave not exceeding thirty days in a calendar year. Such person attending a course on a part-time basis, and such person receiving compensation for productive labor whether performed as part of his apprentice or other training on the job at institutions, business or other establishments, or otherwise, shall be entitled to receive such lesser sums, if any, as subsistence or dependency allowances as may be determined by the Administrator:".

57 Stat. 43.
38 U. S. C., Supp. I, note foll. § 733.
Post, p. 209.

SEC. 2. So much of paragraph 3 of part VII of Veterans Regulation Numbered 1 (a), as amended, as precedes the first proviso, is hereby amended to read as follows:

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran pursuing a course under this part, shall be paid a subsistence allowance of $65 per month, if without a dependent or dependents, or $90 per month, if he has a dependent or dependents: Except, That each veteran pursuing a full-time institutional course under this part shall be paid a subsistence allowance of $75 per month, if without a dependent or dependents, or $105 per month, if he has one dependent, or $120 per month, if he has more than one dependent:".

Effective date.

SEC. 3. This Act shall take effect on the first day of the second calendar month next succeeding its enactment.

Approved February 14, 1948.

[CHAPTER 53]

February 18, 1948
[H. R. 3778]
[Public Law 412]

AN ACT

To amend section 30 of the Revised Statutes of the United States (U. S. C., title 2, sec. 25).

House of Representatives.
Copies of oath of office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 30 of the Revised Statutes of the United States (U. S. C., title 2, sec. 25), be, and it is hereby, amended by adding at the end thereof the following:

The Clerk of the House of Representatives of the Eightieth and each succeeding Congress shall cause the oath of office to be printed, furnishing two copies to each Member and Delegate who has taken the oath of office in accordance with law, which shall be subscribed in person by the Member or Delegate, who shall thereupon deliver them to the Clerk, one to be filed in the records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record; and such signed copies, or certified copies thereof, or of either of such records thereof, shall be admissible in evidence in any court of the United States, and shall be held conclusive proof of the fact that the signer duly took the oath of office in accordance with law.

Members and Delegates of the House of Representatives of the Eightieth Congress may subscribe and deliver the two signed copies of the printed oath of office at their convenience, at any time before the expiration of the Eightieth Congress.

Approved February 18, 1948.

[CHAPTER 65]

AN ACT

February 19, 1948
[H. R. 1366]
[Public Law 413]

To facilitate procurement of supplies and services by the Departments of the Army, the Navy and the Air Force, the Coast Guard, and the National Advisory Committee for Aeronautics, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Armed Services Procurement Act of 1947."

Armed Services Procurement Act of 1947.

SEC. 2. (a) The provisions of this Act shall be applicable to all purchases and contracts for supplies or services made by the Department of the Army, the Department of the Navy, the Department of the Air Force, the United States Coast Guard, and the National Advisory Committee for Aeronautics (each being hereinafter called the agency), for the use of any such agency or otherwise, and to be paid for from appropriated funds.

Small business concerns.

(b) It is the declared policy of the Congress that a fair proportion of the total purchases and contracts for supplies and services for the Government shall be placed with small business concerns. Whenever it is proposed to make a contract or purchase in excess of $10,000 by negotiation and without advertising, pursuant to the authority of paragraph (7) or (8) of section 2 (c) of this Act, suitable advance publicity, as determined by the agency head with due regard to the type of supplies involved and other relevant considerations, shall be given for a period of at least fifteen days, wherever practicable, as determined by the agency head.

Advance publicity.

Infra.

Negotiation without advertising.

(c) All purchases and contracts for supplies and services shall be made by advertising, as provided in section 3, except that such purchases and contracts may be negotiated by the agency head without advertising if—

(1) determined to be necessary in the public interest during the period of a national emergency declared by the President or by the Congress;

(2) the public exigency will not admit of the delay incident to advertising;

(3) the aggregate amount involved does not exceed $1,000;

(4) for personal or professional services;

(5) for any service to be rendered by any university, college, or other educational institution;

(6) the supplies or services are to be procured and used outside the limits of the United States and its possessions;

(7) for medicines or medical supplies;

(8) for supplies purchased for authorized resale;

(9) for perishable subsistence supplies;

(10) for supplies or services for which it is impracticable to secure competition;

(11) the agency head determines that the purchase or contract is for experimental, developmental, or research work, or for the manufacture or furnishing of supplies for experimentation, development, research, or test: *Provided*, That beginning six months after the effective date of this Act and at the end of each six-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection (11) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder;

Report to Congress.

(12) for supplies or services as to which the agency head determines that the character, ingredients, or components thereof

are such that the purchase or contract should not be publicly disclosed;

(13) for equipment which the agency head determines to be technical equipment, and as to which he determines that the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts and that such standardization and interchangeability is necessary in the public interest;

(14) for supplies of a technical or specialized nature requiring a substantial initial investment or an extended period of preparation for manufacture, as determined by the agency head, when he determines that advertising and competitive bidding may require duplication of investment or preparation already made, or will unduly delay procurement of such supplies;

(15) for supplies or services as to which the agency head determines that the bid prices after advertising therefor are not reasonable or have not been independently arrived at in open competition: *Provided*, That no negotiated purchase or contract may be entered into under this paragraph after the rejection of all bids received unless (A) notification of the intention to negotiate and reasonable opportunity to negotiate shall have been given by the agency head to each responsible bidder, (B) the negotiated price is lower than the lowest rejected bid price of a responsible bidder, as determined by the agency head, and (C) such negotiated price is the lowest negotiated price offered by any responsible supplier;

(16) the agency head determines that it is in the interest of the national defense that any plant, mine, or facility or any producer, manufacturer, or other supplier be made or kept available for furnishing supplies or services in the event of a national emergency, or that the interest either of industrial mobilization in case of such an emergency, or of the national defense in maintaining active engineering, research and development, are otherwise subserved: *Provided*, That beginning six months after the effective date of this Act and at the end of each six-month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this subsection (16) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder; or

Report to Congress.

(17) otherwise authorized by law.

Violation of antitrust laws.

(d) If in the opinion of the agency head bids received after advertising evidence any violation of the antitrust laws he shall refer such bids to the Attorney General for appropriate action.

Repair, etc., of buildings.

(e) This section shall not be construed to (A) authorize the erection, repair, or furnishing of any public building or public improvement, but such authorization shall be required in the same manner as heretofore, or (B) permit any contract for the construction or repair of buildings, roads, sidewalks, sewers, mains, or similar items to be negotiated without advertising as required by section 3, unless such contract is to be performed outside the continental United States or unless negotiation of such contract is authorized by the provisions of paragraph (1), (2), (3), (10), (11), (12), or (15) of subsection (c) of this section.

SEC. 3. Whenever advertising is required—

Advertisement for bids.

(a) The advertisement for bids shall be a sufficient time previous to the purchase or contract, and specifications and invitations for bids shall permit such full and free competition as is consistent with the

procurement of types of supplies and services necessary to meet the requirements of the agency concerned.

(b) All bids shall be publicly opened at the time and place stated in the advertisement. Award shall be made with reasonable promptness by written notice to that responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the Government, price and other factors considered: *Provided*, That all bids may be rejected when the agency head determines that it is in the public interest so to do.

Opening of bids.

Rejection.

SEC. 4. (a) Except as provided in subsection (b) of this section, contracts negotiated pursuant to section 2 (c) may be of any type which in the opinion of the agency head will promote the best interests of the Government. Every contract negotiated pursuant to section 2 (c) shall contain a suitable warranty, as determined by the agency head, by the contractor that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business, for the breach or violation of which warranty the Government shall have the right to annul such contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage, or contingent fee.

Types of contracts.

Warranty.

(b) The cost-plus-a-percentage-of-cost system of contracting shall not be used, and in the case of a cost-plus-a-fixed-fee contract the fee shall not exceed 10 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the agency head at the time of entering into such contract (except that a fee not in excess of 15 per centum of such estimated cost is authorized in any such contract for experimental, developmental, or research work and that a fee inclusive of the contractor's costs and not in excess of 6 per centum of the estimated cost, exclusive of fees, as determined by the agency head at the time of entering into the contract, of the project to which such fee is applicable is authorized in contracts for architectural or engineering services relating to any public works or utility project). Neither a cost nor a cost-plus-a-fixed-fee contract nor an incentive-type contract shall be used unless the agency head determines that such method of contracting is likely to be less costly than other methods or that it is impractical to secure supplies or services of the kind or quality required without the use of a cost or cost-plus-a-fixed-fee contract or an incentive-type contract. All cost and cost-plus-a-fixed-fee contracts shall provide for advance notification by the contractor to the procuring agency of any subcontract thereunder on a cost-plus-a-fixed-fee basis and of any fixed-price subcontract or purchase order which exceeds in dollar amount either $25,000 or 5 per centum of the total estimated cost of the prime contract; and a procuring agency, through any authorized representative thereof, shall have the right to inspect the plants and to audit the books and records of any prime contractor or subcontractor engaged in the performance of a cost or cost-plus-a-fixed-fee contract.

Cost-plus contracts.

Advance notification of subcontract, etc.

SEC. 5. (a) The agency head may make advance payments under negotiated contracts heretofore or hereafter executed in any amount not exceeding the contract price upon such terms as the parties shall agree: *Provided*, That advance payments shall be made only upon adequate security and if the agency head determines that provision for such advance payments is in the public interest or in the interest of the national defense and is necessary and appropriate in order to procure required supplies or services under the contract.

Advance payments.

Restriction.

Lien in favor of Government.

(b) The terms governing advance payments may include as security provision for, and upon inclusion of such provision there shall thereby be created, a lien in favor of the Government, paramount to all other liens, upon the supplies contracted for, upon the credit balance in any special account in which such payments may be deposited and upon such of the material and other property acquired for performance of the contract as the parties shall agree.

Liquidated damages.

SEC. 6. Whenever any contract made on behalf of the Government by the agency head or by officers authorized by him so to do includes a provision for liquidated damages for delay, the Comptroller General on the recommendation of the agency head is authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable.

Determinations by agency head.

SEC. 7. (a) The determinations and decisions provided in this Act to be made by the agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (b) of this section, the agency head is authorized to delegate his powers provided by this Act, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the agency.

Delegation of powers.

Ante, pp. 21, 22, 23.

(b) The power of the agency head to make the determinations or decisions specified in paragraphs (12), (13), (14), (15), and (16) of section 2 (c) and in section 5 (a) shall not be delegable, and the power to make the determinations or decisions specified in paragraph (11) of section 2 (c) shall be delegable only to a chief officer responsible for procurement and only with respect to contracts which will not require the expenditure of more than $25,000.

Basis of determination, etc.
Ante, pp. 21, 22, 23.

(c) Each determination or decision required by paragraphs (11), (12), (13), (14), (15), or (16) of section 2 (c), by section 4 or by section 5 (a) shall be based upon written findings made by the official making such determination, which findings shall be final and shall be available within the agency for a period of at least six years following the date of the determination. A copy of the findings shall be submitted to the General Accounting Office with the contract.

Preservation of data.

Ante, p. 21.

(d) In any case where any purchase or contract is negotiated pursuant to the provisions of section 2 (c), except in a case covered by paragraphs (2), (3), (4), (5) or (6) thereof, the data with respect to the negotiation shall be preserved in the files of the agency for a period of six years following final payment on such contract.

SEC. 8. No purchase or contract shall be exempt from the Act of June 30, 1936, as amended (49 Stat. 2036, as amended by the Act of June 28, 1940, 54 Stat. 681, and by the Act of May 13, 1942, 56 Stat. 277; U. S. C., title 41, secs. 35 to 45) or from the Act of March 3, 1931, as amended (46 Stat. 1494, as amended by the Act of August 30, 1935, 49 Stat. 1011, and by the Act of June 15, 1940, 54 Stat. 399; U. S. C., title 40, secs. 276a to 276a–6), solely by reason of having been entered into pursuant to section 2 (c) hereof without advertising, and the provisions of said Acts and of the Act of June 19, 1912, as amended (37 Stat. 137, as amended by the Act of September 9, 1940, 54 Stat. 884; U. S. C., title 40, secs. 324 and 325a), if otherwise applicable, shall apply to such purchases and contracts.

40 U. S. C., Supp. I, § 276a–5 note.
Ante, p. 21.

40 U. S. C. § 325; Supp. I, § 325 note.
Post, p. 989.

SEC. 9. As used herein—

"Agency head."

(a) The term "agency head" shall mean the Secretary, Under Secretary (if any), or any Assistant Secretary of the Army, of the Navy, or of the Air Force; the Commandant, United States Coast Guard, Treasury Department; and the Executive Secretary, National Advisory Committee for Aeronautics, respectively.

"Supplies."

(b) The term "supplies" shall mean all property except land, and shall include, by way of description and without limitation, public

works, buildings, facilities, ships, floating equipment, and vessels of every character, type and description, aircraft, parts, accessories, equipment, machine tools and alteration or installation thereof.

Delegation of procurement responsibilities.

SEC. 10. In order to facilitate the procurement of supplies and services by each agency for others and the joint procurement of supplies and services required by such agencies, subject to the limitations contained in section 7 of this Act, each agency head may make such assignments and delegations of procurement responsibilities within his agency as he may deem necessary or desirable, and the agency heads or any of them by mutual agreement may make such assignments and delegations of procurement responsibilities from one agency to any other or to officers or civilian employees of any such agency, and may create such joint or combined offices to exercise such procurement responsibilities, as they may deem necessary or desirable. Appropriations available to any such agency shall be available for obligation for procurement as provided for in such appropriations by any other agency through administrative allotments in such amount as may be authorized by the head of the allotting agency without transfer of funds on the books of the Treasury Department. Disbursing officers of the allotting agency may make disbursements chargeable to such allotments upon vouchers certified by officers or civilian employees of the procuring agency.

Ante, p. 24.

Appropriations available.

Repeals.

SEC. 11. (a) The following Acts are hereby repealed:

Revised Statutes, section 3716 (U. S. C., title 10, sec. 1202);

Revised Statutes, section 3717 (U. S. C., title 41, sec. 9);

Revised Statutes, section 3718 (U. S. C., title 34, sec. 561);

Revised Statutes, section 3719 (U. S. C., title 34, sec. 562);

Revised Statutes, section 3720 (U. S. C., title 34, sec. 563);

Revised Statutes, section 3721, as amended (U. S. C., title 34, secs. 569–570);

Revised Statutes, section 3722 (U. S. C., title 34, sec. 572);

Revised Statutes, section 3723 (U. S. C., title 34, sec. 573);

Revised Statutes, section 3724 (U. S. C., title 34, sec. 574);

Revised Statutes, section 3726 (U. S. C., title 34, sec. 577);

Revised Statutes, section 3727 (U. S. C., title 34, sec. 578);

Revised Statutes, section 3729 (U. S. C., title 34, sec. 579);

Act of June 14, 1878, Numbered 30 (20 Stat. 253; U. S. C., title 34, sec. 565);

Act of March 3, 1893 (ch. 212, sec. 1, 27 Stat. 732; U. S. C., title 34, sec. 566);

Act of March 2, 1907 (ch. 2512, 34 Stat. 1193; U. S. C., title 34, sec. 571);

Act of March 4, 1913 (ch. 148, 37 Stat. 904; U. S. C., title 34, sec. 575);

Act of June 30, 1914 (ch. 130, 38 Stat. 398; U. S. C., title 34, sec. 567);

Act of May 15, 1936 (ch. 400, 49 Stat. 1277; U. S. C., title 10, sec. 1199 (a));

10 U. S. C. § 1199a.

Act of July 13, 1939 (ch. 265, 53 Stat. 1000; U. S. C., title 10, sec. 313).

Nonapplicability of certain Acts.

(b) The following Acts shall not apply to the procurement of supplies or services by the Department of the Army, the Department of the Navy, the Department of the Air Force, the United States Coast Guard, Treasury Department, or the National Advisory Committee for Aeronautics:

Revised Statutes, section 3709, as amended (U. S. C., title 41, sec. 5);

Revised Statutes, section 3735 (U. S. C., title 41, sec. 13);

Act of October 10, 1940, ch. 851, sec. 1, 54 Stat. 1109, as amended (U. S. C., title 41, secs. 6 and 6a).

Acts repealed in part.

(c) The following parts of Acts are hereby repealed:

(1) That portion of the Act making appropriations for fortifications, approved February 24, 1891 (26 Stat. 769), relating to "Armament of fortifications", which reads as follows: "*Provided*, That no contract for the expenditure of any portion of the money herein provided, or that may be hereafter provided, for the purchase of steel shall be made until the same shall have been submitted to public competition by the Department by advertisement."

(2) Those portions of the Army Appropriation Acts approved March 2, 1901 (ch. 803, 31 Stat. 905; U. S. C., title 10, sec. 1201); and June 30, 1902 (32 Stat. 514), relating to "Quartermaster's Department, Regular Supplies", which read as follows: "*Provided further*, That hereafter, except in cases of emergency or where it is impracticable to secure competition, the purchase of all supplies for the use of the various departments and posts of the Army and of the branches of the Army service shall only be made after advertisement, and shall be purchased where the same can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered."

(3) That portion of the Army Appropriation Act approved June 12, 1906 (ch. 3078, 34 Stat. 258; U. S. C., title 10, sec. 1205), relating to "Ordnance Department", which reads as follows: "Hereafter the purchase of supplies and the procurement of services for all branches of the Army service may be made in open market, in the manner common among businessmen, when the aggregate of the amount required does not exceed five hundred dollars; but every such purchase exceeding one hundred dollars shall be promptly reported to the Secretary of War for approval, under such regulations as he may prescribe."

(4) That portion of the Army Appropriation Act, approved May 11, 1908 (ch. 163, 35 Stat. 125; U. S. C., title 10, sec. 1199), relating to "Ordnance Department", which reads as follows: "Whenever proposals are invited for the furnishing of articles of ordnance property, the character of which or the ingredients thereof are of such a nature that the interests of the public service would be injured by publicly divulging them, the Chief of Ordnance is authorized to purchase such articles in such manner as he may deem most economical and efficient."

(5) That portion of the War Department Appropriation Act, approved May 15, 1936 (49 Stat. 1299), relating to "Arms, uniforms, equipment, and so forth, for field service, National Guard", which reads as follows: "*Provided*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard."

(d) All other laws and parts of laws to the extent that they are inconsistent with this Act are hereby repealed.

Authority of Secretaries.

SEC. 12. The Secretary of the Navy shall have the same authority with respect to contracts of the Department of the Navy as the Secretary of the Army has with respect to contracts of the Department of the Army under the Act of April 10, 1878, as amended (20 Stat. 36, as amended by the Act of March 3, 1883, 22 Stat. 487; U. S. C., title 5, sec. 218). The Secretary of the Army and the Secretary of the Air Force shall have the same authority with respect to emergency purchases of war material abroad as the Secretary of the Navy has with respect to such purchases under the Act of June 30, 1914 (38 Stat. 399; U. S. C., title 34, sec. 568).

Effective date.

SEC. 13. This Act shall become effective ninety days after the date of enactment.

Approved February 19, 1948.

[CHAPTER 66]

AN ACT

February 19, 1948
[H. R. 1634]
[Public Law 414]

To amend section 1, and provisions (6), (7), and (8) of section 3, and provision (3) of section 4 of chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", and to add sections 5a, 5b, and 5c thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of chapter V of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", be amended to read as follows:

Life insurance, D. C.
48 Stat. 1156.
D. C. Code § 35-701.

"SECTION 1. SUPERINTENDENT TO VALUE POLICIES; LEGAL STANDARD OF VALUATION.—(a) The Superintendent shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life-insurance policies and annuity and pure endowment contracts of every life-insurance company doing business in the District except that in the case of an alien company such valuation shall be limited to its insurance transactions in the United States, and may certify the amount of any such reserves, specifying the mortality table or tables, rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. All such valuations made by him or by his authority, shall be made upon the net premium basis. In calculating such reserves, he may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves herein required of any foreign or alien company, he may accept any valuation made, or caused to be made, by the insurance supervisory official of any State or other jurisdiction when such valuation complies with the minimum standard herein provided and if the official of such State or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the Superintendent when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that State or jurisdiction.

Annual valuation of reserve liabilities.

Basis.

Valuations made by States, etc.

"Any such company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard herein provided may, with the approval of the Superintendent, adopt any lower standard of valuation, but not lower than the minimum herein provided.

"(b) This subsection shall apply to only those policies and contracts issued prior to the operative date of section 5b (the standard nonforfeiture law) of this chapter.

Post, p. 31.

"The legal minimum standard for the valuation of life-insurance contracts issued before January 1, 1935, shall be the method and basis of valuation heretofore applied by the Superintendent in the valuation of such contracts, and for life-insurance contracts issued on and after said date shall be the one-year preliminary term method of valuation, except as hereinafter modified, on the basis of the American Experience Table of Mortality with interest at 3½ per centum per annum: *Provided*, That any life company may, at its option, value its insurance contracts issued on and after January 1, 1935, in accordance with their terms on the basis of the American Men Ultimate Table of Mortality with interest not higher than 3½ per centum per annum by the level net premium method or by the modified preliminary term method hereinafter described.

Valuation of life-insurance contracts.

"If the premium charged for term insurance under a limited payment life preliminary term policy providing for the payment of all premiums thereon in less than twenty years from date of the policy,

Premium payment.

Reserves.

or under an endowment preliminary term policy, exceeds that charged for like insurance under twenty payment life preliminary term policies of the same company, the reserve thereon at the end of the year, including the first, shall not be less than the reserve on a twenty payment life preliminary term policy issued in the same year and at the same age, together with an amount which shall be equivalent to the accumulation of a net level premium sufficient to provide for a pure endowment at the end of the premium payment period, equal to the difference between the value at the end of such period of such a twenty payment life preliminary term policy and the full net level premium reserve at such time of such a limited payment life or endowment policy. The premium payment period is the period during which premiums are concurrently payable under such twenty payment life preliminary term policy and such limited payment life or endowment policy.

Premium payment period.

Preliminary term method.

"Policies issued on the preliminary term method shall contain a clause specifying that the reserve thereof shall be computed in accordance with the modified preliminary term method of valuation provided for herein.

Valuation of annuities.

"The legal minimum standard for the valuation of annuities issued on and after January 1, 1935, shall be McClintock's Table of Mortality Among Annuitants, with interest at 4 per centum per annum, but annuities deferred ten or more years and written in connection with life insurance shall be valued on the same basis as that used in computing the consideration or premium therefor, or upon any higher standard at the option of the company.

Valuation of industrial policies.

"The legal minimum standard for the valuation of industrial policies issued after January 1, 1935, shall be the American Experience Table of Mortality with interest at 3½ per centum per annum: *Provided*, That any life company may voluntarily value its industrial policies on the basis of the standard industrial mortality table or the substandard industrial mortality table by the level net premium method or in accordance with their terms by the modified preliminary term method hereinbefore described.

Variation of standards.

"The Superintendent may vary the standards of interest and mortality in the case of alien companies as to contracts issued by such companies in other countries than the United States, and in particular cases of invalid lives and other extra hazards.

"Reserves for all such policies and contracts may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this subsection.

Post, p. 31.

"(c) This subsection shall apply to only those policies and contracts issued on or after the operative date of section 5B (the standard nonforfeiture law) of this chapter.

Minimum standards for valuation.

"(1) The minimum standard for the valuation of all such policies and contracts shall be the Commissioners reserve valuation method defined in paragraph (2), 3½ per centum interest, and the following tables:

"(i) For all ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies, the Commissioners 1941 Standard Ordinary Mortality Table.

"(ii) For all industrial life-insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies, the 1941 Standard Industrial Mortality Table.

"(iii) For annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality Table.

"(iv) For total and permanent disability benefits in or supplementary to ordinary policies or contracts, class (3) Disability Table (1926)

which, for active lives, shall be combined with a mortality table permitted for calculating the reserves for life-insurance policies.

"(v) For accidental death benefits in or supplementary to policies, the Intercompany Double Indemnity Mortality Table combined with a mortality table permitted for calculating the reserves for life-insurance policies.

"(vi) For group life insurance, life insurance issued on the substandard basis and other special benefits, such tables as may be approved by the Superintendent.

Reserves.

"(2) Reserves according to the Commissioners reserve valuation method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed benefits provided for by such policies, over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of (A) over (B), as follows:

Modified net premiums.

"(A) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due: *Provided, however*, That such net level annual premium shall not exceed the net level annual premium on the nineteen year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy.

"(B) A net one-year term premium for such benefits provided for in the first policy year.

Calculation of reserves.

"Reserves according to the Commissioners reserve valuation method for (i) life-insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums, (ii) annuity and pure endowment contracts, (iii) disability and accidental death benefits in all policies and contracts, and (iv) all other benefits, except life insurance and endowment benefits in life-insurance policies, shall be calculated by a method consistent with the principles of this paragraph (2).

"(3) In no event shall a company's aggregate reserves for all life-insurance policies, excluding disability and accidental death benefits, be less than the aggregate reserves calculated in accordance with the method set forth in paragraph (2) and the mortality table or tables and rate or rates of interest used in calculating nonforfeiture benefits for such policies.

Optional standards.

"(4) Reserves for any category of policies, contracts, or benefits as established by the Superintendent, may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard herein provided, but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein: *Provided, however*, That reserves for participating life-insurance policies may, with the consent of the Superintendent, be calculated according to a rate of interest lower than the rate of interest used in calculating the nonforfeiture benefits in such policies, with the further proviso that if such lower rate differs from the rate used in the calculation of the nonforfeiture benefits by more than one-half per centum the company issuing such policies shall file with

Use of lower interest rate.

the Superintendent a plan providing for such equitable increases, if any, in the cash surrender values and nonforfeiture benefits in such policies as the Superintendent shall approve."

48 Stat. 1159. D. C. Code § 35-703 (6), (7), (8).

SEC. 2. That provisions (6), (7), and (8) of section 3 of chapter V of said Act, be amended to read as follows:

Loans.

"(6) A provision that after the policy has been in force three full years the company at any time, while the policy is in force, will advance, on proper assignment or pledge of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the insured less than the amount required by section 5c of this chapter under the conditions specified thereby; and that the company will deduct from such loan value any indebtedness not already deducted in determining such value and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year. This provision shall not be required in term insurance, nor shall it apply to temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies. The policy may further provide that if the interest on the loan is not paid when due it shall be added to the existing loan and shall bear interest at the same rate.

Post, p. 34.

Indebtedness.

Nonapplicability.

Interest.

"(7) A provision for nonforfeiture benefits and cash surrender values in accordance with the requirements of section 5a or section 5b of this chapter.

Infra.

Post, p. 31.

"(8) A provision specifying the options, if any, to which the policyholder is entitled in the event of default in a premium payment."

48 Stat. 1161. D. C. Code § 35-704 (3).

SEC. 3. That provision (3) of section 4 of chapter V of said Act, be amended to read as follows:

Settlement at maturity at less than face value.

"(3) Except for provisions relating to misstatement of age, suicide, aviation, and military or naval service in time of war, a provision for any mode of settlement at maturity, after the expiration of the contestable period of the policy, of less value than the amount insured on the face of the policy plus dividend additions, if any, less any indebtedness to the company on or secured by the policy, and less any premium that may, by the terms of the policy, be deducted. This paragraph shall not apply to any nonforfeiture provision."

Nonapplicability.

48 Stat. 1161. D. C. Code § 35-705.

SEC. 4. That said Act is amended by inserting after section 5 of chapter V thereof the following three new sections:

"SEC. 5a. NONFORFEITURE BENEFITS AND CASH SURRENDER VALUES.—This section shall apply only to policies of life insurance issued prior to the operative date of section 5b (the standard nonforfeiture law) of this chapter.

Default in premium payments.

"The nonforfeiture benefits referred to in provision (7) of section 3 of this chapter shall be available to the insured in event of default in premium payments, after premiums shall have been paid for three years, and shall be a stipulated form of insurance, effective from the due date of the defaulted premium, the net value of which shall be at least equal to the reserve at the date of default on the policy and on dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and on total and permanent disability and additional accidental death benefits (the policy to specify the mortality table and rate of interest adopted for computing such reserve), less a specified percentage (not more than two and one-half) of the amount insured by the policy and of existing dividend additions thereto, if any, and less any existing indebtedness to the company on or secured by the policy: *Provided*, That a company may, in lieu of the provision herein permitted for the deduction from the reserve of a sum not more than 2½ per centum of the amount insured by the policy, and of any dividend additions thereto, insert in the policy a

Deductions.

provision that one-fifth of said reserve may be deducted, or may provide therein that a deduction may be made of said 2½ per centum or one-fifth of said reserve, at the option of the company: *Provided further*, That the policy may be surrendered to the company at its home office within one month of the due date of defaulted premium for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid: *And provided further*, That the company may defer payment for not more than six months after the application therefor is made. A provision may also be inserted in the policy that in event of default in a premium payment before such benefit becomes available, the reserve on any dividend additions then in force may at the option of the company be paid in cash or applied as a net premium to the purchase of paid-up term insurance for any amount not in excess of the face of the original policy. This section shall not apply to term insurance of twenty years or less. The net single premium rate employed in computing the term of temporary insurance or the amount of pure endowment insurance granted as a nonforfeiture value under any life-insurance policy may at the option of the company be based upon a table of mortality showing rates of mortality not greater than 130 per centum of those shown by the American Men Ultimate Table of Mortality instead of the table used in computing the reserve on the policy, or in case of substandard policies not greater than 130 per centum of the rates of mortality shown by the table of mortality approved by the Superintendent for computing the reserve on the policy, anything herein to the contrary notwithstanding.

Surrender for cash value.

Deferred payment.

Default before benefit becomes available.

Nonapplicability.

Net single premium rate.

"SEC. 5b. STANDARD NONFORFEITURE LAW.—(a) In the case of policies issued on or after the operative date of this section, as defined in subsection (g) no policy of life insurance, except as stated in subsection (f), shall be issued or delivered in the District of Columbia unless it shall contain in substance the following provisions, or corresponding provisions which in the opinion of the Superintendent are at least as favorable to the defaulting or surrendering policyholder—

Post, p. 34.

Post, p. 33.

"(1) that, in event of default in any premium payment after premiums have been paid one full year in the case of ordinary insurance or three full years in the case of industrial insurance, the company will grant, upon proper request not later than sixty days after the due date of the premium in default, a paid-up nonforfeiture benefit on a plan stipulated in the policy, effective as of such due date, of such value as may be hereinafter specified;

Paid-up nonforfeiture benefit.

"(2) that, upon surrender of the policy within sixty days after the due date of any premium payment in default after premiums have been paid for at least three full years in the case of ordinary insurance or five full years in the case of industrial insurance, the company will pay, in lieu of any paid-up nonforfeiture benefit, a cash surrender value of such amount as may be hereinafter specified;

Cash surrender value.

"(3) that a specified paid-up nonforfeiture benefit shall become effective as specified in the policy unless the person entitled to make such election elects another available option not later than sixty days after the due date of the premium in default.

"(4) that, if the policy shall become paid up by completion of all premium payments or if it is continued under any paid-up nonforfeiture benefit which became effective on or after the third policy anniversary in the case of ordinary insurance or the fifth policy anniversary in the case of industrial insurance, the company will pay, upon surrender of the policy within thirty days after any policy anniversary, a cash surrender value of such amount as may be hereinafter specified;

Statement of table and interest rate used.

"(5) a statement of the mortality table and interest rate used in calculating the cash surrender values and the paid-up nonforfeiture benefits available under the policy, together with a table showing the cash surrender value, if any, and paid-up nonforfeiture benefit, if any, available under the policy on each policy anniversary either during the first twenty policy years or during the term of the policy, whichever is shorter, such values and benefits to be calculated upon the assumption that there are no dividends or paid-up additions credited to the policy and that there is no indebtedness to the company on the policy;

Statement of calculation method.

"(6) a brief and general statement of the method to be used in calculating the cash surrender value and the paid-up nonforfeiture benefit available under the policy on any policy anniversary beyond the last anniversary for which such values and benefits are consecutively shown in the policy, with an explanation of the manner in which the cash surrender values and the paid-up nonforfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy.

Nonapplicability.

"Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may, to the extent inapplicable, be omitted from the policy.

Deferred payment.

"The company shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefor with surrender of the policy.

Cash surrender value.

"(b) Any cash surrender value available under any policy referred to in subsection (a) in the event of default in a premium payment due on any policy anniversary, whether or not required by subsection (a), shall be an amount not less than the excess, if any, of the present value, on such anniversary, of the future guaranteed benefits which would have been provided for by the policy, including any existing paid-up additions, if there had been no default, over the sum of (i) the then present value of the adjusted premiums as defined in subsection (d), corresponding to premiums which would have fallen due on and after such anniversary, and (ii) the amount of any indebtedness to the company on the policy. Any cash surrender value available within thirty days after any policy anniversary under any policy paid up by completion of all premium payments or any policy continued under any paid-up nonforfeiture benefit, whether or not required by subsection (a), shall be an amount not less than the present value, on such anniversary, of the future guaranteed benefits provided for by the policy, including any existing paid-up additions, decreased by any indebtedness to the company on the policy.

Ante, p. 31.

Nonforfeiture benefit.

"(c) Any paid-up nonforfeiture benefit available under any policy referred to in subsection (a), in the event of default in a premium payment due on any policy anniversary shall be such that its present value as of such anniversary shall be at least equal to the cash surrender value then provided for by the policy or, if none is provided for, that cash surrender value which would have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period.

Ante, p. 31.

Adjusted premiums.

"(d) The adjusted premiums for any policy referred to in subsection (a) shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding amounts stated in the policy as extra premiums to cover impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy; (ii) 2 per centum of

Ante, p. 31.

the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (iii) 40 per centum of the adjusted premium for the first policy year; (iv) 25 per centum of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less: *Provided, however*, That in applying the percentages specified in (iii) and (iv) above, no adjusted premium shall be deemed to exceed 4 per centum of the amount of insurance or level amount equivalent thereto.

Restriction.

"In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent level amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the date of issue as the benefits under the policy.

"All adjusted premiums and present values referred to in this section shall be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table for Ordinary Insurance and the 1941 Standard Industrial Mortality Table for Industrial Insurance and the rate of interest, not exceeding 3½ per centum per annum, specified in the policy for calculating cash surrender values, if any, and paid-up nonforfeiture benefits: *Provided, however*, That in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than 130 per centum of the rates of mortality according to such applicable table: *Provided, further*, That for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Superintendent.

Basis.

Rates of mortality.

Substandard basis.

"(e) Any cash surrender value and any paid-up nonforfeiture benefit, available under any such policy in the event of default in the payment of any premium due at any time other than on the policy anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary. All values referred to in subsections (b), (c), and (d) may be calculated upon the assumption that any death benefit is payable at the end of the policy or contract year of death. The net value of any paid-up additions, other than paid-up term additions, shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of subsection (b), additional benefits payable (i) in the event of death or dismemberment by accident or accidental means, (ii) in the event of total and permanent disability, (iii) as reversionary annuity or deferred reversionary annuity benefits, (iv) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this section would not apply, and (v) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.

Calculation of benefits, etc.

Ante, p. 32.

Net value.

Additional benefits.

"(f) This section shall not apply to any reinsurance, group insurance, pure endowment, annuity or reversionary annuity contract, nor

Nonapplicability.

to any term policy of uniform amount, or renewal thereof, of fifteen years or less expiring before age sixty-six, for which uniform premiums are payable during the entire term of the policy, nor to any term policy of decreasing amount on which each adjusted premium, calculated as specified in subsection (d), is less than the adjusted premium so calculated, on such fifteen-year term policy issued at the same age and for the same initial amount of insurance, nor to any policy or contract which shall be delivered outside the District of Columbia through an agent or other representative of the company issuing the policy.

Election of compliance by company.

"(g) After the effective date of this Act, any company may file with the Superintendent a written notice of its election to comply with the provisions of this section after a specified date before January 1, 1950. After the filing of such notice, then upon such specified date (which shall be the operative date for such company), this section shall become operative with respect to the policies and contracts thereafter issued by such company. If a company makes no such election, the operative date of this section for such company shall be January 1, 1950."

Loan value.

Ante, p. 31.

Ante, p. 30.

"SEC. 5c. LOAN PROVISIONS IN POLICIES.—(a) In the case of ordinary policies issued prior to the operative date of section 5b (the standard nonforfeiture law) of this chapter the loan value referred to in provision (6) of section 3 of this chapter shall be the reserve at the end of the current policy year on the policy and on the dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and of total and permanent disability and additional accidental death benefits, less a sum not more than 2½ per centum of the amount insured by the policy and of any dividend additions thereto (the policy to specify the mortality table and rate of interest adopted for computing such reserve). The policy may provide that such loan may be deferred for not exceeding six months after the application therefor is made. A company may, in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than 2½ per centum of the amount insured by the policy and of any dividend additions thereto, insert in the policy a provision that one-fifth of the said reserve may be deducted in case of a loan under the policy, or may provide therein that the deduction may be the said 2½ per centum or the one-fifth of the said reserve at the option of the company.

Deferment of loan.

Deductions.

Deferment of loan.

Ante, p. 31.

Ante, p. 30.

"(b) In the case of ordinary policies issued on or after the operative date of section 5b (the standard nonforfeiture law) of this chapter the loan value referred to in provision (6) of section 3 of this chapter shall be the cash surrender value at the end of the current policy year as required by section 5b of this chapter. The company shall reserve the right to defer such loan, except when made to pay premiums, for six months after application therefor is made."

Approved February 19, 1948.

[CHAPTER 67]

February 25, 1948
[H. R. 2029]
[Public Law 415]

AN ACT

To provide for the free importation of synthetic-rubber scrap.

46 Stat. 678.
19 U. S. C. § 1201, par. 1697.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1697 of the Tariff Act of 1930 (relating to the free importation of rubber and rubber scrap) is amended by striking out "scrap or refuse india rubber" and inserting in lieu thereof "scrap or refuse synthetic or india rubber".

Approved February 25, 1948.

[CHAPTER 68]

AN ACT

Authorizing the sale of undisposed of lots in Michel addition to the town of Polson, Montana.

February 25, 1948
[S. 1507]
[Public Law 416]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to sell, under existing rules and regulations, the undisposed of lots in blocks 3, 4, and 5, in the Michel addition to the city of Polson, Montana, said lots being embraced in the trust allotment of Angeline Michel, deceased, Flathead allottee numbered 1914.

Polson, Mont.
Sale of lots.

Approved February 25, 1948.

[CHAPTER 72]

AN ACT

To permit the issuance of unrestricted deeds for town-site lands held by Alaska natives, and for other purposes.

February 26, 1948
[H. R. 3503]
[Public Law 417]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the trustee or trustees to whom a patent has been issued for a townsite surveyed pursuant to section 11 of the Act of March 3, 1891 (26 Stat. 1095), or section 3 of the Act of May 25, 1926 (44 Stat. 629), upon a finding by the Secretary of the Interior or his authorized representative that any Alaska native who claims and occupies a tract of land within such townsite is competent to manage his own affairs and has petitioned the Secretary or his authorized representative for an unrestricted deed, or shall issue to such native an unrestricted deed, and thereafter all restrictions as to sale, encumbrance, or taxation of said lands shall be removed, but said land shall not be liable to the satisfaction of any debt, except obligations owed the Federal Government, contracted prior to the issuing of such deed.

Alaska.
Townsite lands.
48 U. S. C. § 355.
48 U. S. C. § 355c.

Approved February 26, 1948.

[CHAPTER 73]

AN ACT

To authorize the sale of certain lands of the L'Anse Band of Chippewa Indians, Michigan.

February 27, 1948
[S. 522]
[Public Law 418]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion, to sell for the sum of $2,015 and convey to the village of L'Anse, Michigan, certain tribal land and allotted Indian lands described as the southeast quarter of the southeast quarter of section 32, township 51 north, range 32 west, the north half northwest quarter of section 1, the south half northeast quarter of section 2, township 50 north, range 33 west, Michigan meridian, Michigan, containing one hundred and seventy-seven and twenty-nine one-hundredths acres, more or less. The sale of the tribal land shall be made only with the consent of the tribal council. The proceeds of the sale of the tribal lands, $640, shall be delivered to the bonded disbursing officer of the Great Lakes Indian Agency, Ashland, Wisconsin, to be credited to the tribal funds of the Keweenaw Bay Indian Community. The proceeds of the sale of the allotted lands, $1,375, are to be placed to the credit of the various heirs in their respective individual Indian accounts by the disbursing officer of the Great Lakes Indian Agency. Such funds, received from the sale of these lands, may be reinvested in other lands, in accordance with and subject to the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended.

L'Anse, Mich.
Conveyance.

25 U. S. C. §§ 461-479.

Approved February 27, 1948.

[CHAPTER 74]

AN ACT

February 27, 1948
[S. 1485]
[Public Law 419]

To authorize the Secretary of the Interior to dispose of certain lands heretofore acquired for the Albuquerque Indian School, New Mexico.

Albuquerque Indian School, N. Mex. Sale of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, in his discretion and subject to such terms and conditions as he may prescribe, to sell or exchange all or any part of those certain areas heretofore acquired for the Albuquerque Indian School, New Mexico, situated within tracts numbered 97a, 97b, and 98 as shown on the Middle Rio Grande Conservancy District map, comprising approximately thirty and seventy-five one-hundredths acres. In effecting any sale or exchange hereunder the Secretary of the Interior is authorized to execute such deeds or other instruments as may be necessary to transfer the title to any land so sold or exchanged. Any exchanges of land effected pursuant to this Act shall be on an equal value basis.

Proceeds.

SEC. 2. That the proceeds derived from any sale made under authority of this Act shall be deposited in the Treasury of the United States as school revenues, pursuant to the Act of May 27, 1926 (44 Stat. 560), and shall be available in the discretion of the Secretary of the Interior for the purchase of other lands and improvements or interests therein for the use of said Albuquerque Indian School.

25 U. S. C. § 155.

Approved February 27, 1948.

[CHAPTER 75]

AN ACT

February 27, 1948
[S. 1591]
[Public Law 420]

To transfer certain transmission lines, substations, appurtenances, and equipment in connection with the sale and disposition of electric energy generated at the Fort Peck project, Montana, and for other purposes.

Fort Peck project. Transfer of transmission lines, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in aid of the administration of the Fort Peck project, there is hereby granted to the United States, for use by the Bureau of Reclamation, Department of the Interior (hereinafter referred to as the "Bureau"), in the discharge of its duties pursuant to the Act of May 18, 1938 (52 Stat. 403), the electric-transmission lines, substations, rights-of-way, and other property described in section 7 of that certain permit and memorandum of understanding, dated November 2, 1945, between the Bureau and the Office of Indian Affairs, Department of the Interior (hereinafter referred to as the "Indian Office"): *Provided, however*, That the Bureau shall continue to furnish electric service for the uses and purposes of the Indian Office on the Fort Peck Indian Reservation, pursuant to the terms and conditions of said permit and memorandum of understanding, except as the same may be modified by the Secretary of the Interior.

16 U. S. C. §§ 833-833k.

Purchase price.

SEC. 2. That the amount of money to be paid for said property shall be $58,577.52, or so much thereof as the Secretary of the Interior shall determine to be needed pursuant to the provisions of said permit and memorandum of understanding. Such sum shall be paid, from funds now or hereafter made available to the Department of the Interior for the construction of transmission lines and substations of the Fort Peck project, to the Commissioner of Indian Affairs, who shall deposit such sum in the Treasury of the United States as a credit on expenditures made for irrigation and power construction on the Fort Peck Indian irrigation project.

SEC. 3. The Secretary of the Interior is authorized to perform any and all acts as may be deemed necessary to carry out the provisions of this Act.

Approved February 27, 1948.

[CHAPTER 76]

AN ACT

February 27, 1948
[H. R. 774]
[Public Law 421]

To amend an Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective Departments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannonballs in their respective departments", approved May 22, 1896, as amended, is amended to read as follows:

Loan or gift of condemned ordnance, etc.

29 Stat. 133.
50 U. S. C., Supp. I, § 67.

"That the Secretary of the Army, the Secretary of the Air Force, the Secretary of the Navy and the Secretary of the Treasury are each hereby authorized, in their discretion, to loan or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of the American Legion, and other recognized war veteran associations, State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations, and posts of the Sons of Veterans Reserve, condemned or obsolete combat material, books, manuscripts, works of art, drawings, plans and models which may not be needed in the service of either of said Departments.

"Such loan or gift shall be made subject to rules and regulations covering the same in each Department, and the Government shall be at no expense in connection with any such loan or gift."

SEC. 2. The Act of May 22, 1896, as amended, shall not be construed as altering, amending, or repealing the provisions of any other law under authority of which the President, the Secretary of the Army, the Secretary of the Air Force, the Secretary of the Navy, or the Secretary of the Treasury may dispose of Government material.

Supra.

Approved February 27, 1948.

[CHAPTER 77]

AN ACT

February 27, 1948
[H. R. 5390]
[Public Law 422]

To continue for a temporary period certain provisions of the Housing and Rent Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Housing and Rent Act of 1947 (Public Law 129, Eightieth Congress), is hereby amended by striking out "March 1, 1948," wherever it occurs and inserting in lieu thereof "April 1, 1948,".

61 Stat. 195.
50 U. S. C., Supp. I, app. § 1884 (a).
Post, p. 93.

SEC. 2. Subsection (a) of section 204 of the Housing and Rent Act of 1947 is hereby amended by striking out "February 29, 1948" and inserting in lieu thereof " the close of March 31, 1948". Subsection (f) of such section 204 is hereby amended by striking out "on February 29, 1948" and inserting in lieu thereof "at the close of March 31, 1948".

61 Stat. 197, 199.
50 U. S. C., Supp. I, app. § 1894 (a), (f).
Post, pp. 94, 98.

SEC. 3. Section 2 of Public Law 301, Eightieth Congress, approved July 31, 1947 (relating to eviction of tenants from publicly operated housing accommodations), is hereby amended by striking out "March 1, 1948," and inserting in lieu thereof "April 1, 1948,".

61 Stat. 705.
42 U. S. C., Supp. I, § 1413a.
Post, p. 100.

Approved February 27, 1948.

[CHAPTER 78]

JOINT RESOLUTION

February 27, 1948
[S. J. Res. 173]
[Public Law 423]

To continue until March 1, 1949, the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

Maritime Commission.
Post, pp. 62, 217
61 Stat. 190.
50 U. S. C., Supp. I, app. §§ 1744 (a), 1735 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1 of the Act entitled "An Act to continue temporary authority of the Maritime Commission until March 1, 1948", approved June 28, 1947 (Public Law 127, Eightieth Congress), is amended by striking out the date "March 1, 1948" and inserting in lieu thereof the date "March 1, 1949".

60 Stat. 43.
50 U. S. C. app. § 1739.

(b) Notwithstanding the provisions of subsection (a), no contract of sale under section 6 of the Merchant Ship Sales Act of 1946 shall be made after March 1, 1948; and nothing contained in this or any other Act shall be deemed to authorize the United States Maritime Commission to charter any war-built vessel (as defined in the Merchant Ship Sales Act of 1946) to any person who is not a citizen of the United States (as defined in the Merchant Ship Sales Act of 1946).

60 Stat. 42.
50 U. S. C. app. § 1736 (g).

SEC. 2. Section 2 of the joint resolution entitled "Joint resolution authorizing the Commandant of the United States Coast Guard to waive compliance with the navigation and vessel-inspection laws administered by the Coast Guard", approved March 31, 1947 (Public Law 27, Eightieth Congress), as amended, is amended by striking out the date "April 1, 1948" and inserting in lieu thereof the date "March 1, 1949".

61 Stat. 33.
46 U. S. C., Supp. I, note prec. § 121.

Approved February 27, 1948.

[CHAPTER 82]

AN ACT

February 28, 1948
[S. 1133]
[Public Law 424]

Providing for the per capita payment of certain moneys appropriated in settlement of certain claims of the Indians of the Fort Berthold Indian Reservation in North Dakota.

Fort Berthold Indian Reservation, N. Dak.
Per capita payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within sixty days from the date of enactment of this Act the Secretary of the Interior shall withdraw from the Treasury, and pay to the enrolled members of the Indians of the Fort Berthold Indian Reservation in North Dakota, $300,000 to be distributed per capita, out of the balance of the principal and interest of the amount appropriated in settlement of certain claims of such Indians pursuant to the last paragraph preceding the heading "Miscellaneous Indian Tribal Funds", in the first section of the Interior Department Appropriation Act, 1947, remaining after the fees and expenses authorized by such paragraph to be paid from such appropriation shall have been paid or provided for. The money paid to such members under this Act shall not be subject to any lien or claim of any nature against any of such members.

60 Stat. 359.

Approved February 28, 1948.

[CHAPTER 83]

AN ACT

February 28, 1948
[S. 1454]
[Public Law 425]

To amend the Public Health Service Act in regard to certain matters of personnel and administration, and for other purposes.

Public Health Service Act, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (j)

of section 2 of the Public Health Service Act, as amended (42 U. S. C., ch. 6A), is amended by inserting immediately after the semicolon at the end thereof the words "isonipecaine and its derivatives, compounds, salts, and preparations; opiates (as defined in section 3228 (f) of the Internal Revenue Code);".

58 Stat. 683.
42 U. S. C. § 201 (j).

60 Stat. 38.
26 U. S. C. § 3228 (f); Supp. I, § 3228 note.

SEC. 2. Section 203 of such Act is amended by striking out the last sentence thereof.

58 Stat. 683.
42 U. S. C. § 204.

SEC. 3. Section 205 of such Act is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

58 Stat. 684.
42 U. S. C. § 206.

Special temporary positions.

"(c) The Surgeon General, with the approval of the Administrator, is authorized to create special temporary positions in the grade of Assistant Surgeons General when necessary for the proper staffing of the Service; but the number of such special temporary positions, when added to the eight positions created by section 204 and subsections (a) and (b) of this section, shall not on any day exceed three-fourths of 1 per centum of the highest number, during the ninety days preceding such day, of officers of the Regular Corps on active duty and officers of the Reserve Corps on active duty for more than thirty days. The Surgeon General may assign officers of either the Regular Corps or the Reserve Corps to any such special temporary positions, and while so serving they shall each have the title of Assistant Surgeon General."

58 Stat. 684.
42 U. S. C. §§ 205, 206 (a), (b).

SEC. 4. (a) The first sentence of subsection (a) of section 206 of such Act is amended to read: "The Surgeon General, during the period of his appointment as such, shall be of the same grade, with the same pay and allowances, as the Surgeon General of the Army; and the Deputy Surgeon General, while assigned as such, shall have the grade corresponding with the grade of major general, with the same pay and allowances. Assistant Surgeons General, while assigned as such, shall have the grade, with the pay and allowances thereof, corresponding with either the grade of brigadier general or the grade of major general, as may be determined by the Administrator after considering the importance of the duties to be performed: *Provided*, That the number of Assistant Surgeons General having a grade higher than that corresponding to the grade of brigadier general shall at no time exceed one-half of the number of positions created by subsection (b) of section 205 or pursuant to subsection (c) of such section."

58 Stat. 684.
42 U. S. C. § 207 (a).
Surgeon General.

Deputy Surgeon General and Assistant Surgeons General.

58 Stat. 684.
42 U. S. C. § 206 (b).
Supra.

(b) Such section is further amended by adding at the end thereof the following new subsections:

Officer below grade of director.

"(c) Any commissioned officer below the grade of director who is assigned to serve as chief of a division shall, for the duration of such assignment, have the grade of director and receive the pay and allowances applicable to such grade.

Authorized numbers.

"(d) Within the total number of officers of the Regular Corps authorized by the appropriation Act or Acts for each fiscal year to be on active duty, the Administrator shall by regulation prescribe the maximum number of officers authorized to be in each of the grades from the junior assistant grade to the director grade, inclusive. Such numbers shall be determined after considering the anticipated needs of the Service during the fiscal year, the funds available, the number of officers in each grade at the beginning of the fiscal year, and the anticipated appointments, the anticipated promotions based on years of service, and the anticipated retirements during the fiscal year. The number so determined for any grade for a fiscal year may not exceed the number limitation (if any) contained in the appropriation Act or Acts for such year. Such regulations for each fiscal year shall be prescribed as promptly as possible after the appropriation Act fixing the authorized strength of the corps for that year, and shall be

subject to amendment only if such authorized strength or such number limitation is thereafter changed. The maxima established by such regulations shall not require (apart from action pursuant to other provisions of this Act) any officer to be separated from the Service or reduced in grade."

58 Stat. 685.
42 U. S. C. §§208, 209, 210.

SEC. 5. (a) Such Act is further amended by striking out section 207 thereof and by redesignating sections 208 and 209 as sections 207 and 208, respectively.

58 Stat. 685.
42 U. S. C. § 209 (a) (1), (2).

(b) Paragraph (1) of subsection (a) of the section herein redesignated as section 207 is amended by striking "surgery," therefrom.

Graduates of osteopathy colleges.

Graduates of colleges of osteopathy whose graduates are eligible for licensure to practice medicine or osteopathy in a majority of the States of the United States, or approved by a body or bodies acceptable to the Administrator, shall be eligible, subject to the other provisions of this Act, for appointment as commissioned medical officers in the Public Health Service.

Reserve commissions.

The second sentence of paragraph (2) of such subsection is amended to read: "Reserve commissions shall be for a period of not more than five years and may be terminated at any time, as the President may direct."

58 Stat. 685.
42 U. S. C. § 209 (b).

(c) Subsection (b) of such section is amended to read:

Original appointments.

"(b) Not more than 10 per centum of the original appointments to the Regular Corps authorized to be made during any fiscal year may be made to grades above that of senior assistant, but no such appointment may be made to a grade above that of director. For the purpose of this subsection the number of original appointments authorized to be made during a fiscal year shall be (1) the excess of the number of officers of the Regular Corps authorized by the appropriation Act or Acts for such year over the number of officers on active duty in the Regular Corps on the first day of such year, plus (2) the number of such officers of the Regular Corps who, during such fiscal year, have been or will be retired upon attainment of age sixty-four or have for any other reason ceased to be on active duty. In determining the number of appointments authorized by this subsection an appointment shall be deemed to be made in the fiscal year in which the nomination is transmitted by the President to the Senate. No person shall be appointed pursuant to this subsection unless he meets standards established in accordance with regulations of the President."

58 Stat. 686.
42 U. S. C. § 209 (c), (d), (e), (f).

(d) Such section is further amended by redesignating subsections (c), (d), (e), and (f) thereof as subsections (e), (f), (g), and (h), respectively; by changing "subsection (c)" to "subsection (e)" and changing "subsection (d)" to "subsection (f)" in the subsection hereby designated as subsection (g); and by inserting after subsection (b) the following new subsections:

Issuance of commissions.

"(c) Commissions evidencing the appointment by the President of officers of the Regular or Reserve Corps shall be issued by the Administrator under the seal of the Federal Security Agency.

Service credit.
Senior assistants, etc.
58 Stat. 685.
42 U. S. C. § 209 (a).
Supra.
Infra; post, p. 41.

"(d) (1) For purposes of pay and pay period and for purposes of promotion, any person appointed under subsection (a) to the grade of senior assistant in the Regular Corps, and any person appointed under subsection (b), shall, except as provided in paragraphs (2) and (3) of this subsection, be considered as having had on the date of appointment the following length of service: Three years if appointed to the senior assistant grade, ten years if appointed to the full grade, seventeen years if appointed to the senior grade, and eighteen years if appointed to the director grade.

Service credit under other provision of law.
58 Stat. 685.
42 U. S. C. § 209 (a).
Supra.

"(2) For purposes of pay and pay period, any person appointed under subsection (a) to the grade of senior assistant in the Regular Corps, and any person appointed under subsection (b), shall, in lieu of the credit provided in paragraph (1), be credited with the service for which he is entitled to credit under any other provision of law if

such service exceeds that to which he would be entitled under such paragraph.

"(3) For purposes of promotion, any person originally appointed in the Regular Corps to the senior assistant grade or above who has had active service in the Reserve Corps shall be considered as having had on the date of appointment the length of service provided for in paragraph (1), plus whichever of the following is greater: (A) The excess of his total active service in the Reserve Corps (above the grade of junior assistant) over the length of service provided in such paragraph, to the extent that such excess is on account of service in the Reserve Corps in or above the grade to which he is appointed in the Regular Corps or (B) his active service in the same or any higher grade in the Reserve Corps after the first day on which, under regulations in effect on the date of his appointment to the Regular Corps, he would have had the training and experience necessary for such appointment.

Active service in Reserve Corps.

Ante, p. 40.

"(4) For purposes of promotion, any person whose original appointment is to the assistant grade in the Regular Corps shall be considered as having had on the date of appointment service equal to his total active service in the Reserve Corps in and above the assistant grade."

Assistant grade.

(e) Beginning as of the date of enactment of this Act, any officer of the Regular Corps of the Public Health Service on active duty on such date shall, in lieu of the service with which he was credited for the purposes of pay and pay period at the time of his appointment to such corps, receive credit, if it is greater, for three years if his appointment was to the senior assistant grade, twelve years if it was to the full grade, twenty years if it was to the senior grade, and twenty-six years if it was to the director grade.

Officer of Regular Corps on active duty.

(f) Any person appointed to any grade above the assistant grade in the Regular Corps of the Public Health Service after enactment of this Act and prior to July 1, 1948, shall, for purposes of pay and pay period, and (except in the case of an appointment to the director grade) for purposes of promotion, receive the credit provided under section 207 of the Public Health Service Act, as amended by this Act, or shall receive credit, if it is greater, of three years if appointed to the senior assistant grade, twelve years if appointed to the full grade, twenty years if appointed to the senior grade, and twenty-six years if appointed to the director grade. In the case of an officer so appointed to the full or senior grade (1) he shall receive two years' seniority in grade if appointed to the full grade and three years' if appointed to the senior grade, and (2) he shall be considered as having completed the one year of service in grade required for promotion to a restricted grade or to the director grade, as the case may be.

Appointment above assistant grade.

58 Stat. 685.
42 U. S. C. § 209.
Ante, p. 40.

Appointment to full or senior grade.

(g) Subsection (b) of the section herein redesignated as section 208 is amended to read:

58 Stat. 686.
42 U. S. C. § 210 (b).
Ante, p. 40.

"(b) Reserve officers, except when otherwise provided by law, shall receive the same pay and allowances when on active duty as commissioned officers of the Regular Corps, including allowances for travel and transportation of household goods and effects."

Reserve officers.

(h) Subsection (h) of the section herein redesignated as section 208 is amended by striking out "section 208 (d)" and inserting in lieu thereof "section 207 (f)".

58 Stat. 687.
42 U. S. C. § 210 (h).
Ante, p. 40.

(i) Such Act is further amended by inserting after the section herein redesignated as section 208 the following new section:

"PROFESSIONAL CATEGORIES

"SEC. 209. (a) For the purpose of establishing eligibility of officers of the Regular Corps for promotions, the Surgeon General shall by

regulation divide the corps into professional categories. Each category shall, as far as practicable, be based upon one of the subjects of examination set forth in section 207 (a) (1) or upon a subdivision of such subject, and the categories shall be designed to group officers by fields of training in such manner that officers in any one grade in any one category will be available for similar duty in the discharge of the several functions of the Service.

58 Stat. 685.
42 U. S. C. § 209 (a) (1).
Ante, p. 40.

Assignment.

"(b) Each officer of the Regular Corps on active duty shall, on the basis of his training and experience, be assigned by the Surgeon General to one of the categories established by regulations under subsection (a). Except upon amendment of such regulations, no assignment so made shall be changed unless the Surgeon General finds (1) that the original assignment was erroneous, or (2) that the officer is equally well qualified to serve in another category to which he has requested to be transferred, and that such transfer is in the interests of the Service.

Authorized number.
Ante, p. 39.

"(c) Within the limits fixed by the Administrator in regulations under section 206 (d) for any fiscal year, the Surgeon General shall determine for each category in the Regular Corps the maximum number of officers authorized to be in each of the grades from the assistant grade to the director grade, inclusive.

Excess of authorized number.

"(d) The excess of the number so fixed for any grade in any category over the number of officers of the Regular Corps on active duty in such grade in such category (including, in the case of the director grade, officers holding such grade in accordance with section 206 (c)) shall for the purpose of promotions constitute vacancies in such grade in such category. For purposes of this subsection, an officer who has been temporarily promoted or who is temporarily holding the grade of director in accordance with section 206 (c) shall be deemed to hold the grade to which so promoted or which he is temporarily holding; but while he holds such promotion or grade, and while any officer is temporarily assigned to a position pursuant to section 205 (c), the number fixed under subsection (c) of this section for the grade of his permanent rank shall be reduced by one.

Ante, p. 39.

Temporary promotions, etc.
Ante, p. 39.

Ante, p. 39.

Absence of vacancy.
58 Stat. 685.
42 U. S. C. § 209.
Ante, p. 40.

"(e) The absence of a vacancy in a grade in a category shall not prevent an appointment to such grade pursuant to section 207, a permanent length of service promotion, or the recall of a retired officer to active duty; but the making of such an appointment, promotion, or recall shall be deemed to fill a vacancy if one exists.

Vacancies.

"(f) Whenever a vacancy exists in any grade in a category the Surgeon General may increase by one the number fixed by him under subsection (c) for the next lower grade in the same category, without regard to the numbers fixed in regulations under section 206 (d); and in that event the vacancy in the higher grade shall not be filled except by a permanent promotion, and upon the making of such promotion the number for the next lower grade shall be reduced by one."

Ante, p. 39.

58 Stat. 687.
42 U. S. C. § 211.
Promotions up to and including director grade.

SEC. 6. (a) Section 210 of such Act is amended to read:

"SEC. 210. (a) Promotions of officers of the Regular Corps to any grade up to and including the director grade shall be either permanent promotions based on length of service, other permanent promotions to fill vacancies, or temporary promotions. Permanent promotions shall be made by the President, by and with the advice and consent of the Senate, and temporary promotions shall be made by the President. Each permanent promotion shall be to the next higher grade, and shall be made only after examination given in accordance with regulations of the President.

"Restricted grade."

"(b) The President may by regulation provide that in a specified professional category permanent promotions to the senior grade, or

to both the full grade and the senior grade, shall be made only if there are vacancies in such grade. A grade in any category with respect to which such regulations have been issued is referred to in this section as a 'restricted grade'.

Examinations.

"(c) Examinations to determine qualification for permanent promotions may be either noncompetitive or competitive, as the Surgeon General shall in each case determine; except that examinations for promotions to the assistant or senior assistant grade shall in all cases be noncompetitive. The officers to be examined shall be selected by the Surgeon General from the professional category, and in the order of seniority in the grade, from which promotion is to be recommended. In the case of a competitive examination the Surgeon General shall determine in advance of the examination the number (which may be one or more) of officers who, after passing the examination, will be recommended to the President for promotion; but if the examination is one for promotions based on length of service, or is one for promotions to fill vacancies other than vacancies in the director grade or in a restricted grade, such number shall not be less than 80 per centum of the number of officers to be examined.

Recommendation for promotion.

Permanent promotions.
Supra.

"(d) Officers of the Regular Corps, found pursuant to subsection (c) to be qualified, shall be given permanent promotions based on length of service, as follows:

"(1) Officers in the junior assistant grade shall be promoted at such times as may be prescribed in regulations of the President.

Officers with permanent rank.
Ante, p. 42.

"(2) Officers with permanent rank in the assistant grade, the senior assistant grade, and the full grade shall (except as provided in regulations under subsection (b)) be promoted after completion of three, ten, and seventeen years, respectively, of service in grades above the junior assistant grade; and such promotions, when made, shall be effective, for purposes of pay and pay period and for purposes of seniority in grade, as of the day following the completion of such years of service. An officer with permanent rank in the assistant, senior assistant, or full grade who has not completed such years of service shall be promoted at the same time, and his promotion shall be effective as of the same day, as any officer junior to him in the same grade in the same professional category who is promoted under this paragraph.

Officers in professional category.
Supra.

"(e) Officers in a professional category of the Regular Corps, found pursuant to subsection (c) to be qualified, may be given permanent promotions to fill any or all vacancies in such category in the senior assistant grade, the full grade, the senior grade, or the director grade; but no officer who has not had one year of service with permanent or temporary rank in the next lower grade shall be promoted to any restricted grade or to the director grade.

Failure to receive promotion.
Supra.

"(f) If an officer who has completed the years of service required for promotion to a grade under paragraph (2) of subsection (d) fails to receive such promotion, he shall (unless he has already been twice examined for promotion to such grade) be once reexamined for promotion to such grade. If he is thereupon promoted (otherwise than under subsection (e)), the effective date of such promotion shall be one year later than it would have been but for such failure. Upon the effective date of any permanent promotion of such officer to such grade, he shall be considered as having had only the length of service required for such promotion which he previously failed to receive.

Separation from Service.
Supra.

"(g) If, for reasons other than physical disability incurred in line of duty, an officer of the Regular Corps in the junior assistant grade is found pursuant to subsection (c) not to be qualified for promotion he shall be separated from the Service. If, for reasons other than physical disability incurred in line of duty, an officer of the Regular

Corps in the assistant, senior assistant, or full grade, after having been twice examined for promotion (other than promotion to a restricted grade), fails to be promoted—

"(1) if in the assistant grade he shall be separated from the Service and paid six months' pay and allowances;

"(2) if in the senior assistant grade he shall be separated from the Service and paid one year's pay and allowances;

"(3) if in the full grade he shall be considered as not in line for promotion and shall, at such time thereafter as the Surgeon General may determine, be retired from the Service with retired pay (unless he is entitled to a greater amount by reason of another provision of law) at the rate of 2½ per centum of his active duty pay at the time of retirement for each complete year, not in excess of thirty, of his active commissioned service in the Service.

Refusal to take examination.

"(h) If an officer of the Regular Corps, eligible to take an examination for promotion, refuses to take such examination, he may be separated from the Service in accordance with regulations of the President.

Review of officer's record.

"(i) At the end of his first three years of service, the record of each officer of the Regular Corps originally appointed to the senior assistant grade or above, shall be reviewed in accordance with regulations of the President and, if found not qualified for further service, he shall be separated from the Service and paid six months' pay and allowances.

Order of seniority.

"(j) (1) The order of seniority of officers in a grade in the Regular Corps shall be determined, subject to the provisions of pargaraph (2), by the relative length of time spent in active service after the effective date of each such officer's original appointment or permanent promotion to that grade. When permanent promotions of two or more officers to the same grade are effective on the same day, their relative seniority shall be the same as it was in the grade from which promoted. In all other cases of original appointments or permanent promotions (or both) to the same grade effective on the same day, relative seniority shall be determined in accordance with regulations of the President.

Credit for active service in Reserve Corps.

"(2) In the case of an officer originally appointed in the Regular Corps to the grade of assistant or above, his seniority in the grade to which appointed shall be determined after inclusion, as service in such grade, of any active service in such grade or in any higher grade in the Reserve Corps, but (if the appointment is to the grade of senior assistant or above) only to the extent of whichever of the following is greater: (A) His active service in such grade or any higher grade in the Reserve Corps after the first day on which, under regulations in effect on the date of his appointment to the Regular Corps, he had the training and experience necessary for such appointment, or (B) the excess of his total active service in the Reserve Corps (above the grade of junior assistant) over three years if his appointment in the Regular Corps is to the senior assistant grade, over ten years if the appointment is to the full grade, or over seventeen years if the appointment is to the senior grade.

Temporary promotions.

"(k) Any commissioned officer of the Regular Corps in any grade in any professional category may be recommended to the President for temporary promotion to fill a vacancy in any higher grade in such category, up to and including the director grade. In time of war, or of national emergency proclaimed by the President, any commissioned officer of the Regular Corps in any grade in any professional category may be recommended to the President for promotion to any higher grade in such category, up to and including the director grade, whether or not a vacancy exists in such grade. The selection of officers to be recommended for temporary promotions shall be made in accordance with regulations of the President. Promotion of an

War or emergency promotions.

officer recommended pursuant to this subsection may be made without regard to length of service, without examination, and without vacating his permanent appointment, and shall carry with it the pay and allowances of the grade to which promoted. Such promotions may be terminated at any time, as may be directed by the President.

Number exceeding authorized strength.

"(l) Whenever the number of officers of the Regular Corps on active duty, plus the number of officers of the Reserve Corps who have been on active duty for thirty days or more, exceeds the authorized strength of the Regular Corps, the Administrator shall determine the requirements of the Service in each grade in each category, based upon the total number of officers so serving on active duty and the tasks being performed by the Service; and the Surgeon General shall thereupon assign each officer of the Reserve Corps on active duty to a professional category. If the Administrator finds that the number of officers fixed under section 209 (c) for any grade and category (or the number of officers, including officers of the Reserve Corps, on active duty in such grade in such category, if such number is greater than the number fixed under section 209 (c)) is insufficient to meet such requirements of the Service, officers of either the Regular Corps or the Reserve Corps may be recommended for temporary promotion to such grade in such category. Any such promotion may be terminated at any time, as may be directed by the President.

Ante, p. 42.

Acceptance of promotion.

"(m) Any officer of the Regular Corps, or any officer of the Reserve Corps on active duty, who is promoted to a higher grade shall, unless he expressly declines such promotion, be deemed for all purposes to have accepted such promotion; and shall not be required to renew his oath of office, or to execute a new affidavit as required by the Act of December 11, 1926, as amended (5 U. S. C. 21a)."

44 Stat. 918.

(b) Except as provided in subsection (d) of this section, no promotion shall be made under section 210 of the Public Health Service Act, as amended by this Act, prior to July 1, 1948. Until that date officers of the Regular Corps may receive temporary promotions to higher grades with the pay and allowances thereof pursuant to section 210 (a) (1) of the Public Health Service Act, in force prior to the enactment of this Act, notwithstanding the termination, prior to such date, of the war and of the national emergencies proclaimed by the President. Any officer holding, on June 30, 1948, an appointment pursuant to such section to a higher temporary grade shall continue in such grade until such appointment is terminated, as the President may direct.

Infra.

Ante, p. 42.

Additional service credit.

(c) Effective as of the date of the enactment of this Act, each officer of the Regular Corps on such date, in addition to the credit he has under preexisting legislation for purposes of promotion, shall be credited with three years of service.

Promotions to senior assistant.

(d) (1) Officers of the Regular Corps who have, or who on or before July 1, 1948, will have, the years of service prescribed in paragraph (2) of section 210 (d) of the Public Health Service Act, as amended by this Act, for promotion to the senior assistant, full, or senior grade, shall be recommended to the President for such promotion, to be effective as of July 1, 1948, whether or not vacancies exist in such grade. Such promotions shall be made without examination, except that no promotions shall be made to the senior grade or any grade immediately below a restricted grade until the officer is found qualified for promotion pursuant to subsection (c) of section 210 of the Public Health Service Act, as amended by this Act. No promotion shall be made pursuant to this paragraph to any grade in any professional category if such grade has been made a restricted grade pursuant to subsection (b) of section 210 of the Public Health Service Act, as amended by this Act. For purposes of seniority an officer promoted under this paragraph shall be credited with the years of service in the grade to

Ante, p. 43.

Ante, p. 43.

Promotions in restricted grades.

Ante, p. 42.

Crediting of service.

which promoted equal to the excess of his years of service on the date of promotion over the years of service required for promotion to such grade under paragraph (2) of section 210 (d) of the Public Health Service Act, as amended by this Act.

Ante, p. 43.

Officers in junior assistant grade.

(2) Officers in the junior assistant grade in the Regular Corps who have, or who on or before July 1, 1948, will have four or more years of service in the junior assistant grade, shall be recommended to the President for promotion to the assistant grade, to be effective as of July 1, 1948, without examination and whether or not vacancies exist in such grade. For purposes of promotion and seniority in grade, an officer promoted under this paragraph shall be credited with the years of service equal to the excess of his years of service on the date of promotion over four years.

Crediting of service.

(e) For purposes of seniority, any officer of the Regular Corps of the Public Health Service on the date of enactment of this Act shall be considered as having had service in the grade which he holds on such date equal to the excess of the service credited to him for promotion purposes over the length of service required under section 210 (d) (2), as amended by this Act, for promotion to such grade.

Ante, p. 43.

(f) Except as provided in subsection (d) of this section, the provisions of this section shall not, prior to July 1, 1948, affect the term or tenure of office (including any office held under temporary promotion) of any commissioned officer of the Service in office upon the date of the enactment of this Act.

58 Stat. 688.
42 U. S. C. § 212 (b).
Retirement.

SEC. 7. (a) The first sentence of subsection (b) of section 211 of such Act is amended to read: "A commissioned officer shall be retired on the first day of the month following the month in which he attains the age of sixty-four years; and a commissioned officer may be retired by the Administrator, and shall be retired if he applies for retirement, on the first day of any month after completion of thirty years of active commissioned service in the Service."

58 Stat. 688.
42 U. S. C. § 212 (c) (2).
Retired pay for certain officers.

(b) Paragraph (2) of subsection (c) of such section is amended to read:

"(2) The retired pay to which an officer, who has served four years or more as Surgeon General, Deputy Surgeon General, or Assistant Surgeon General, is entitled shall be based on the pay of the highest grade held by him as such Surgeon General, Deputy Surgeon General, or Assistant Surgeon General."

58 Stat. 688.
42 U. S. C. § 212 (d).

(c) Subsection (d) of such section is amended by changing the words "for age" to "under the provisions of subsection (b)".

Retirement of officer in Regular Corps.

(d) Section 211 of such Act is further amended by adding at the end thereof the following new subsections:

"(g) An officer of the Regular Corps in the senior assistant grade in a category in which the full grade is a restricted grade, who has had twenty years of active commissioned or noncommissioned service in the Service (including any active Federal service in the armed forces) or has attained the age of fifty, or an officer of the Regular Corps in the full grade in a category in which the senior grade is a restricted grade, who has had twenty-five years of such service or has attained the age of fifty-five, may be retired in accordance with regulations of the Administrator if he has not been found pursuant to section 210 (c) to be qualified for promotion to the full grade or the senior grade, as the case may be. The retired pay of any such officer shall be at the rate of 2½ per centum of his active-duty pay at the time of retirement for each complete year, not in excess of thirty, of such service.

Ante, p. 43.
Retired pay.

Termination of retired pay.

"(h) Retired pay pursuant to this section shall be terminated if the officer receiving such pay is recalled to active duty or, in the case of an officer of the Reserve Corps, if he is found to have recovered from his disability. Such pay shall be suspended for any period

during which an officer fails without good cause to comply with a request by the Surgeon General that he submit to a medical examination, and shall be terminated if such failure continues for six months."

SEC. 8. Title II of such Act is further amended by adding at the end thereof the following new section: 58 Stat. 683. 42 U. S. C. §§ 202-218.

"TRAINING OF OFFICERS

Pay and allowances.

"SEC. 218. (a) Appropriations available for the pay and allowances of commissioned officers of the Service shall also be available for the pay and allowances of any such officer on active duty in the Regular Corps while attending any educational institution and, subject to regulations of the President and to the limitation prescribed in such appropriations, for payment of his tuition, fees, and other necessary expenses incident to such attendance.

Reimbursement to Service.

"(b) Any officer whose tuition and fees while attending an educational institution are paid pursuant to subsection (a) shall be obligated to reimburse the Service for such tuition and fees if he voluntarily leaves the Service within two years after the cessation of such attendance."

SEC. 9. (a) Sec. 706 of the Act of July 1, 1944 (58 Stat. 682, 713), as amended, is amended to read: 60 Stat. 1049. 42 U. S. C. § 230.

Computation of retired pay.

"SEC. 706. In the case of any commissioned officer of the Service appointed prior to July 1, 1944, there shall be included, in determining the amount of retired pay pursuant to subsection (c) (1) of section 211, and in determining whether he should or may be retired pursuant to subsection (b) of such section, noncommissioned service in the Public Health Service, as well as all commissioned service." 58 Stat. 688. 42 U. S. C. § 212 (c) (1), (b). *Ante*, p. 46.

(b) Title VII of such Act is amended by changing sections 711 and 712, and references thereto, to sections 713 and 714, respectively, and by inserting immediately after section 710 the following new sections: 58 Stat. 714; 60 Stat. 1049. 42 U. S. C. § 201 note.

"APPOINTMENTS TO HIGHER GRADES FOR MENTAL HEALTH AND HOSPITAL CONSTRUCTION ACTIVITIES

"SEC. 711. Twenty officers may be appointed to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act with respect to mental health and twenty officers may be appointed to such grades in the Regular Corps to assist in carrying out title VI of this Act. Officers appointed pursuant to this section in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b); but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b). The twenty officers authorized by this section to be appointed to carry out the purposes of this Act with respect to mental health and the twenty officers so authorized to be appointed to carry out title VI shall be reduced by the number of officers appointed under clause (A) and the number appointed under clause (B), respectively, of section 208 (b) (2) of this Act, in effect prior to the enactment of this section. 60 Stat. 1041. 42 U. S. C. §§ 291-291m. *Ante*, p. 40. 60 Stat. 422, 1049. 42 U. S. C. § 209 (b) (2).

"CERTAIN RETIREMENTS FOR DISABILITY

"SEC. 712. An officer of the Reserve Corps of the Public Health Service who was separated from the Service or returned to inactive status by reason of a disability incurred in line of duty after December 6, 1941, and prior to July 1, 1944, and who would have been eligible for retirement by reason of such disability if section 211 of the Public

58 Stat. 688.
42 U. S. C. § 212.
Ante, p. 46.

Health Service Act had been in effect on and after December 7, 1941, shall be considered as though he had been retired at the time of such separation or return to inactive service. Any such officer, and any other officer of the Reserve Corps retired for a disability which was incurred in line of duty after December 6, 1941, and prior to July 1, 1944, shall be entitled, for periods both before and after the date of the enactment of this section, to the same retired pay to which he would have been entitled if such section 211, as amended simultaneously with the enactment of this section, had been in effect on and after December 7, 1941."

Approved February 28, 1948.

[CHAPTER 84]

AN ACT

February 28, 1948
[H. R. 4127]
[Public Law 426]

To amend the Civil Service Retirement Act of May 29, 1930, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

Civil Service Retirement Act, amendments.
46 Stat. 468.
5 U. S. C. § 691; Supp. I, § 691.
Age and service eligibility.

"SEC. 1. (a) Any officer or employee to whom this Act applies who shall have attained or shall hereafter attain the age of sixty years and have rendered at least thirty years of service computed as prescribed in section 5 of this Act, or who shall have attained or shall hereafter attain the age of sixty-two years and have rendered at least fifteen years of such service, shall, upon separation from the service, be paid an annuity computed as provided in section 4 of this Act.

46 Stat. 472.
5 U. S. C. § 707.
Post, p. 50.

Post, p. 49.

"(b) Any officer or employee to whom this Act applies who shall have attained or shall hereafter attain the age of fifty-five years and have rendered at least thirty years of service computed as prescribed in section 5 of this Act shall, upon separation from the service, be paid an annuity computed as provided in section 4 of this Act, reduced by one-fourth of 1 per centum for each full month such officer or employee is under the age of sixty years.

46 Stat. 472.
5 U. S. C. § 707.
Post, pp. 50, 49.

Involuntary separation.

"(c) Any officer or employee to whom this Act applies, after having rendered at least twenty-five years of service computed as prescribed in section 5 of this Act, shall, upon involuntary separation from the service not by removal for cause on charges of misconduct or delinquency, be paid an immediate life annuity computed as provided in section 4 of this Act reduced by one-fourth of 1 per centum for each full month such officer or employee is under the age of sixty years. This subsection shall become effective July 1, 1947.

46 Stat. 472.
5 U. S. C. § 707.
Post, p. 50.
Post, p. 49.

Special agents, etc., of FBI.
Post, p. 1221.

"(d) Any special agent, special agent in charge, inspector, Assistant Director, assistant to the Director, Associate Director, or the Director, who is at least fifty years of age and who has rendered twenty years of service or more as a special agent, or as aforesaid above, in the Federal Bureau of Investigation may, on his own application and with the consent of the Attorney General, retire from the service and such annuity of such employee shall be equal to 2 per centum of his average basic salary for the five years next preceding the date of his retirement, multiplied by the number of years of service, not exceeding thirty years."

46 Stat. 469.
5 U. S. C. § 715; Supp. I, § 715 note.

SEC. 2. Section 2 of the Act of May 29, 1930, as amended, is amended to read as follows:

5 U. S. C. §§ 715, 715a, 715d; Supp. I, § 715 note.
Automatic separation.
46 Stat. 472.
5 U. S. C. § 707.
Post, p. 50.

"SEC. 2. (a) Except as provided in section 204 of the Act of June 30, 1932 (47 Stat. 404), and section 3 of the Act of July 13, 1937 (50 Stat. 512), any officer or employee to whom this Act applies who shall have completed fifteen years of service computed as provided in section 5 of this Act shall, on the last day of the month in which he attains the age of seventy years, or completes fifteen years of service if then beyond

such age, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and the head of each department, branch, or independent office of the Government concerned shall notify each such employee under his direction of the date of his separation from the service at least sixty days in advance thereof: *Provided*, That should the head of the department, branch, or independent office fail, through error, to give timely notification, the employee's separation from the service shall not be effected without his consent until the expiration of said sixty-day period. Upon such separation, the officer or employee shall be eligible for retirement on annuity as provided in section 4 hereof.

Notification to employee.

Failure to give notification.

Infra.

"(b) No person who is receiving an annuity under the provisions of this Act and who has reached the age of sixty years shall be eligible again to appointment to any appointive office, position, or employment under the Government of the United States or of the District of Columbia, unless the appointing authority determines that he is possessed of special qualifications: *Provided*, That no deductions for the retirement fund shall be withheld from the salary, pay, or compensation of such person, but there shall be deducted from his salary, pay, or compensation otherwise payable a sum equal to the retirement annuity allocable to the period of actual employment: *Provided further*, That the annuity in such case shall not be redetermined upon such person's subsequent separation from the service."

Reemployment after 60.

Deduction from pay.

Annuity.

SEC. 3. (a) Except insofar as amendments made by this Act change rates of interest and eliminate tontine deductions, such amendments shall not apply to any person subject to the provisions of section 3A of the Act of May 29, 1930, as amended, and the rights and obligations of such person under such Act shall continue as though this Act had not been enacted.

60 Stat. 850.
5 U. S. C. § 693-1.
Post, p. 504.

(b) Section 3 (a) of the Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

46 Stat. 470.
5 U. S. C. § 693 (a); Supp. I, § 693 (a).
Ante, p. 5.

"Notwithstanding any other provision of this Act, any officer or employee in the legislative branch of the Government within the classes of officers or employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, serving in such position on the effective date of this Act, may give notice of his desire to come within the purview of this Act at any time prior to July 1, 1948."

50 Stat. 512.
5 U. S. C. §§ 693b–693d, 698b, 715d, 719a.

SEC. 4. Section 4 of the Act of May 29, 1930, as amended, is amended to read as follows:

46 Stat. 471.
5 U. S. C. § 698.

"SEC. 4. (a) The annuity of an officer or employee retired under this Act shall be a life annuity, terminable upon the death of the annuitant and shall be an amount equal to the following: (1) 1½ per centum of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, or (2) 1 per centum of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, plus a sum equal to $25 for each year of such service: *Provided*, That in no case shall the annuity exceed an amount equal to 80 per centum of the highest average annual basic salary, pay, or compensation received by the officer or employee during five consecutive years of allowable service.

Computation of annuity.

Limitation.

"(b) Any officer or employee, if a husband, retiring under the provisions of section 1, 2, or 6 of this Act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after his death payable to his surviving widow designated by him at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such

Reduced annuity; widow's annuity.
Ante, p. 48.
46 Stat. 472.
5 U. S. C. §§ 710–714.
Post, p. 51.

election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, his wife is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow shall begin on the first day of the month in which the death of the husband occurs or the first day of the month following the widow's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon her death or remarriage.

Reduced and survivor annuity.
Ante, p. 48.

"(c) Any unmarried officer or employee in good health retiring under the provisions of section 1 or 2 of this Act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to a survivor annuitant having an insurable interest in such officer or employee, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such survivor annuitant equal to 50 per centum of such reduced annuity and upon the death of such survivor annuitant all payments shall cease and no further annuity shall be due and payable. The annuity hereunder payable to the officer or employee shall be 90 per centum of the life annuity otherwise payable if the survivor annuitant is the same age or older than the annuitant, or is less than five years younger than the annuitant; 85 per centum if the survivor annuitant is five but less than ten years younger; 80 per centum if the survivor annuitant is ten but less than fifteen years younger; 75 per centum if the survivor annuitant is fifteen but less than twenty years younger; 70 per centum if the survivor annuitant is twenty but less than twenty-five years younger; and 60 per centum if the survivor annuitant is twenty-five or more years younger. No such election shall be valid until the retiring officer or employee shall have satisfactorily passed a physical examination as prescribed by the Civil Service Commission. No person shall be eligible to receive an annuity under this subsection and an annuity under subsection (c) of section 12, based upon the service of the same officer or employee, covering the same period of time.

Validity of election.

Post, p. 54.

"(d) For the purpose of this Act all periods of service shall be computed in accordance with section 5 hereof, and the monthly annuity installment shall be fixed at the nearest dollar.

46 Stat. 472.
5 U. S. C. § 707.
Infra.

"(e) Except as provided in sections 501 and 522 (b) of the Federal Employees Pay Act of 1945, as amended, the term 'basic salary, pay, or compensation', wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."

59 Stat. 301.
5 U. S. C. §§ 931, 935 (b).
"Basic salary, pay, or compensation."

SEC. 5. The first paragraph of section 5 of the Act of May 29, 1930, as amended, is amended to read as follows:

46 Stat. 472.
5 U. S. C. § 707.
Ante, p. 5.

"Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any annuity provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified officer or employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an officer or employee, however, who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based

Periods of service in computation of annuity.
Post, p. 53.

shall not be included, except that in the case of an officer or employee who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or resulting from an explosion of an instrument of war, the period of the military service shall be included: *Provided*, That an officer or employee must have served for a total period of not less than five years exclusive of such military or naval service before he shall be eligible for annuity under this Act. Nothing in this Act shall be construed as to affect in any manner an officer's or employee's right to retired pay, pension, or compensation in addition to the annuity herein provided."

Minimum service.

SEC. 6. The first three paragraphs of section 6 of the Act of May 29, 1930, as amended, are amended to read as follows:

46 Stat. 472.
5 U. S. C. §§ 710, 711, 713.

"Any officer or employee to whom this Act applies who shall have served for a total period of not less than five years computed as provided in section 5 of this Act, and who, before meeting the age and service requirements for retirement under section 1 (a) hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the officer or employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No officer or employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in case of an officer or employee who at the date of separation from service or within six months thereafter is receiving hospital treatment, but the application in such case must be filed with the Civil Service Commission not later than six months after the termination of such hospitalization; in the case of any such person heretofore separated from service application may be filed within six months after the effective date of this Act. Such time limitation may similarly be waived in the case of an officer or employee who at the date of separation from service or within six months thereafter is mentally incompetent, but the application in such case must be filed with the Civil Service Commission within one year from the date of restoration of such person to competency or the appointment of a fiduciary whichever is the earlier.

Disability retirement.

46 Stat. 472.
5 U. S. C. § 707.
Ante, pp. 50, 48.

Ante, p. 49.

Physical examination.

Application for retirement.

Waiver of time limitation.

"Every annuitant retired under the provisions of this section unless the disability for which retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching age sixty, be examined under the direction of the Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Civil Service Commission for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching age sixty

Annual examination.

and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding one year from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any officer or employee retired on an annuity under this section.

Failure to appear for examination.

Failure to obtain reemployment.

"If a recovered disability annuitant whose annuity is discontinued subsequent to June 30, 1945, shall fail to obtain reemployment in any position included in the provisions of this Act, he shall be considered as having been separated from the service within the meaning of section 7 of this Act as of the date he was retired for disability and shall, after the discontinuance of the disability annuity, be entitled to a deferred annuity in accordance with the provisions of such section."

Infra.

46 Stat. 474.
5 U. S. C. § 733.

SEC. 7. Section 7 of the Act of May 29, 1930, as amended, is amended to read as follows:

Separation after 5 years' service.

"SEC. 7. (a) Should any officer or employee to whom this Act applies after having rendered five years of civilian service, computed as prescribed in section 5 of this Act, but less than twenty years of creditable civilian service and before becoming eligible for retirement under section 1 (a) of this Act become separated from the service, such officer or employee shall be paid as he may elect, (A) a deferred annuity beginning at the age of sixty-two years, or the age at separation if beyond the age of sixty-two, computed as provided in section 4 (a) of this Act, or (B) the total amount credited to his individual account together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded on December 31 of each year to date of separation.

46 Stat. 472.
5 U. S. C. § 707.
Ante, p. 50.
Ante, p. 48.
Ante, p. 49.

Separation after 20 years' service.

"(b) Should any officer or employee to whom this Act applies, after having rendered at least twenty years of creditable civilian service and before becoming eligible for retirement under section 1 (a) of this Act become separated from the service, such officer or employee shall be paid a deferred annuity beginning at the age of sixty-two years, or the age at separation if beyond the age of sixty-two, computed as provided in section 4 (a).

Ante, p. 48.
Ante, p. 49.

Redeposit of refund.

"(c) All amounts returned to an officer or employee under this section must upon reinstatement, retransfer, or reappointment to a position within the purview of this Act, be redeposited, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, by such officer or employee before he may receive any credit for the service covered by the refund. Such interest shall not be required for any period during which the officer or employee is separated from the service."

Interest.

46 Stat. 475.
5 U. S. C. § 736c.
Post, p. 670.

SEC. 8. Section 8 of the Act of May 29, 1930, as amended, is amended to read as follows:

Increase in annuity.

"SEC. 8. In the case of any officer or employee who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, as amended, or section 8 (a) of the Act of June 16, 1933, the annuity shall be increased, effective on the first day of the second month following the month in which this Act is enacted by 25 per centum or $300, whichever is the lesser: *Provided*, That each

41 Stat. 614.
5 U. S. C. § 691 *et seq.*; Supp. I, § 691 *et seq.*
48 Stat. 305.
5 U. S. C. § 736a.

such annuitant may, prior to the effective date herein prescribed, elect to retain his or her present annuity, in lieu of the increased annuity provided by this section, and name his wife or her husband to receive upon his or her death one-half of his or her present annuity but not to exceed $600 per annum during the remainder of the life of such surviving husband or wife and upon the death of such survivor no further annuity shall be due or payable. Except as provided in this paragraph, the amendments made by this Act shall not apply in the case of officers and employees retired prior to the effective date of this Act.

Election to retain present annuity.

"In case any officer or employee shall have been separated subsequent to January 23, 1942, and prior to the effective date of this Act and have acquired title to annuity under section 7 of the Act of May 29, 1930, as amended, beginning after such effective date, his rights shall be determined and annuity computed as though this Act had not been enacted."

Protection of acquired rights.

46 Stat. 474.
5 U. S. C. § 733.

SEC. 9. Section 9 of the Act of May 29, 1930, as amended, is amended to read as follows:

46 Stat. 475.
5 U. S. C. § 736b.

"SEC. 9. Each officer or employee within the purview of this Act shall deposit, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the credit of the 'civil-service retirement and disability fund' a sum equal to 2½ per centum of his basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926; 3½ per centum of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, and prior to July 1, 1942; 5 per centum of said basic pay, salary, or compensation for services rendered from and after July 1, 1942, and prior to the first day of the first pay period which begins after June 30, 1948, and also 6 per centum thereafter, covering service during which no deductions were withheld for deposit in the said fund. Such interest shall not be required for any period during which the officer or employee is separated from the service. Each such officer or employee may elect to make such deposits in installments during the continuance of his service in such amounts and under such conditions as may be determined in each instance by the Civil Service Commission. The amount so deposited shall be credited to the individual account of the officer or employee in the said fund. Notwithstanding the failure of an officer or employee to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by an amount equal to 10 per centum of the amount of such deposit, unless the officer or employee shall elect to eliminate such service entirely from credit under this Act: *Provided*, That no deposit shall be required for any service rendered prior to August 1, 1920, or for periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States."

Deposits to credit of fund by employees.

Deposits in installments.

Credit to individual account.

Exemptions.

SEC. 10. The first two paragraphs of section 10 of the Act of May 29, 1930, as amended, are amended to read as follows:

46 Stat. 475.
5 U. S. C. §§ 719, 719–1.

"Beginning as of July 1, 1942, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this Act applies a sum equal to 5 per centum of such officer's or employee's basic salary, pay, or compensation: *Provided*, That from and after the first day of the first pay period which begins after June 30, 1948, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this Act applies a sum equal to 6 per centum of such officer's or employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each officer or employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the civil-service

Deductions from salary.

Increase in deductions.

41 Stat. 614.
5 U. S. C. § 691 *et seq.*; Supp. I, § 691 *et seq.*

retirement and disability fund created by the Act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this Act.

Voluntary deposits.

"Any officer or employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of $25 but not to exceed 10 per centum of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 per centum per annum compounded as of December 31 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission, an annuity in addition to the annuity provided by this Act. The life annuity shall consist of $7 for each $100, increased by 20 cents for each full year, if any, such officer or employee is over the age of fifty-five years at the date of retirement. In the event of death or separation from the service of such officer or employee before becoming eligible for retirement on annuity, the total amount so deposited, with interest at 3 per centum per annum to date of death or separation compounded on December 31 of each year, shall be refunded in accordance with the provisions of section 12 of this Act. In case a retired employee who is receiving a life annuity under this paragraph shall die without having received in annuity purchased by the total amount so deposited, with interest at 3 per centum per annum compounded on December 31 of each year, to date of retirement, the difference shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in section 12 (e)."

Purchased life annuity.

Infra.

Post, p. 56.

46 Stat. 476.
5 U. S. C. § 724; Supp. I, § 724.

SEC. 11. Section 12 of the Act of May 29, 1930, as amended, is amended to read as follows:

Deductions credited to individual account.

"SEC. 12. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each officer or employee for credit to the 'civil-service retirement and disability fund' created by the Act of May 22, 1920, covering service from and after August 1, 1920, shall be credited to an individual account of such officer or employee.

41 Stat. 614.
5 U. S. C. § 691 *et seq.*; Supp. I, § 691 *et seq.*

Separation with less than 5 years' service.

"(b) (1) In the case of any officer or employee to whom this Act applies who shall become absolutely separated from the service before he shall have completed an aggregate of five years of service computed as prescribed in section 5 of this Act, or who shall be transferred to a position not within the purview of this Act, the amount credited to his individual account together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded on December 31 of each year to date of separation shall be returned to such officer or employee: *Provided*, That in computing interest under this subsection, a fractional part of a month in the total service covered by the refund shall be disregarded, and no interest shall be allowed in any case unless the service covered by the refund aggregates more than one year.

46 Stat. 472.
5 U. S. C. § 707.
Ante, p. 50.

Redeposit of refund.

"(2) All amounts returned to an officer or employee under this subsection must, upon reinstatement, retransfer, or reappointment to a position within the purview of this Act, be redeposited, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, by such officer or employee before he may receive any credit for the service covered by the refund. Such interest shall not be required for any period during which the officer or employee is separated from the service.

Payment of annuity to widow.

"(c) (1) In case any officer or employee to whom this Act applies shall die subsequent to the date of enactment of this Act after having rendered at least five years of civilian service computed as prescribed

in section 5 of this Act and is survived by a widow, such widow shall be paid an annuity beginning the first day of the month following the death of the officer or employee or following the widow's attainment of age fifty, whichever is the later, equal to one-half the amount of an annuity computed as provided in section 4 (a) hereof with respect to such officer or employee: *Provided*, That such payments or any right thereto shall cease upon death or remarriage of the widow.

46 Stat. 472. 5 U. S. C. § 707. *Ante*, p. 50.

Ante, p. 49.

"(2) In case any officer or employee to whom this Act applies shall die subsequent to the date of enactment of this Act after having rendered at least five years of civilian service computed as prescribed in section 5 of this Act, or after having retired subsequent to such date of enactment under section 1, 2, or 6, and is survived by a widow and a child or children, such widow shall be paid an immediate annuity terminable upon death, remarriage, or attainment of age fifty. The annuity payable to the widow of such officer or employee shall be equal to one-half the amount of an annuity computed as provided in section 4 (a) hereof with respect to such officer or employee. The annuity payable to the widow of such annuitant shall be equal to one-half the amount of the annuity which such annuitant was receiving at the time of his death excluding any portion thereof purchased by voluntary contributions under the second paragraph of section 10, or, if such annuitant had elected a reduced annuity under subsection (b) or (c) of section 4, one-half of the annuity which such annuitant would have received if he had not made such election. There shall also be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of the annuity of such widow, but not to exceed $900 divided by the number of such children or $360, whichever is lesser. Upon the death of such widow, the annuity of such child or children shall be recomputed and paid as provided in paragraph (3) of this subsection.

Widow and child or children.

46 Stat. 472. 5 U. S. C. §§ 707, 710-714. *Ante*, pp. 50, 48, 51.

Ante, p. 49.

Ante, p. 54.

Ante, pp. 49, 50.

"(3) In case any officer or employee to whom this Act applies shall die subsequent to the date of enactment of this Act after having rendered at least five years of civilian service computed as prescribed in section 5 of this Act or after having retired subsequent to such date of enactment under section 1, 2, or 6, and leaves no surviving widow or widower but leaves a surviving child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to the amount of the annuity to which such widow would have been entitled under paragraph (2) of this subsection had she survived, but not to exceed $1,200 divided by the number of such children or $480, whichever is lesser.

Child or children but no widow or widower.

46 Stat. 472. 5 U. S. C. §§ 707, 710-714. *Ante*, pp. 50, 48, 51.

Supra.

"(4) The annuity payable to a child under this subsection shall be terminable upon (A) his attaining the age of eighteen years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability. In any case in which the annuity of a child, under this subsection, is terminated, the annuities of any other child or children, based upon the service of the same officer or employee, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such officer or employee.

Termination of annuity to child.

"(d) As used in this section—

"(1) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least two years immediately preceding his death, or (B) is the mother of issue by such marriage.

"Widow."

"(2) The term 'child' means an unmarried child, including a dependent stepchild or an adopted child, under the age of eighteen years, or such unmarried child who because of physical or mental disability is incapable of self-support.

"Child."

Dependency and disability.

"(3) Questions of dependency and disability arising under this section shall be determined by the Civil Service Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the nature and degree of disability of any annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any such examination.

Payment of claims to beneficiaries, etc.

"(e) In any case in which—

"(1) an officer or employee to whom this Act applies shall die before having rendered five years of civilian service computed as prescribed in section 5, or after having rendered five years of civilian service but without a survivor or survivors entitled to annuity benefits provided by subsection (c), or

46 Stat. 472. 5 U. S. C. § 707. *Ante*, p. 50.

"(2) the right of all persons entitled to annuity under subsection (c) based on the service of such officer or employee shall terminate before a valid claim therefor shall have been established,

the total amount credited to the individual account of such officer or employee with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of death of such officer or employee, shall be paid upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such officer or employee and recorded with the Civil Service Commission;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such officer or employee;

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the officer or employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Failure to establish claim for annuity. *Ante*, p. 52.

"(f) In case any separated officer or employee who is entitled to a deferred annuity as provided in section 7 hereof shall die before having established a valid claim for annuity, the total amount credited to his individual account with interest at 4 per centum per annum to December 31, 1947, or the date of separation, whichever is earlier, and 3 per centum per annum thereafter, compounded on December 31 of each year, to date of death, shall be paid upon the establishment of a valid claim therefor, in the order of precedence prescribed in subsection (e).

"(g) In any case in which—

Ante, pp. 49, 50, 54.

"(1) a retired officer or employee shall die without a survivor entitled to annuity benefits provided by subsection (b) or (c) of section 4 or subsection (c) of this section, or

"(2) a retired officer or employee shall die leaving a survivor or survivors entitled to such annuity benefits and the right to annuity of all such survivors shall terminate before a valid claim therefor shall have been established, or

"(3) the annuities of all persons entitled to annuity based upon the service of an officer or employee shall terminate,

before the aggregate amount of annuity paid equals the total amount credited to the individual account of such officer or employee with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each

year, to date of death or retirement of such officer or employee, whichever first occurs, the difference shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in subsection (e).

Unpaid accrued annuity.

"(h) Any accrued annuity remaining unpaid upon the death of any retired officer or employee shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in subsection (e). Any accrued annuity remaining unpaid upon the termination (other than by death) of the annuity of any person based upon the service of an officer or employee shall be paid to such person. Any accrued annuity remaining unpaid upon the death of any person receiving annuity based upon the service of an officer or employee shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the duly appointed executor or administrator of the estate of such person;

"Second, if there is no such executor or administrator, payment may be made, after the expiration of thirty days from the date of death of such person, to such individual or individuals as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other individual.

Payment to guardian, etc.

"(i) Where any payment under this Act is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, the Civil Service Commission shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

Incompetents.

"(j) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed $1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person.

Designation of beneficiary.

"(k) Each employee or retired employee to whom this Act applies shall, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries for the purposes of this Act."

SEC. 12. The first paragraph of section 13 of the Act of May 29, 1930, as amended, is amended to read as follows:

46 Stat. 477.
5 U. S. C. § 725.

Monthly payment of annuities.

"Annuities granted under the terms of this Act shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. Payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the Treasury Department in such form and manner and with such safeguards as shall be prescribed by the Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments."

46 Stat. 477.
5 U. S. C. § 718.

SEC. 13. The third paragraph of section 13 of the Act of May 29, 1930, as amended, is amended to read as follows:

Commencement and continuance.
Ante, p. 48.

"An annuity granted for retirement under the provisions of section 1 or 2 of this Act shall commence the first day of the month following the date of separation from the service, or on the first day of the month following the month in which salary shall cease provided the employee meets the age and service requirements for retirement at that time, and shall continue during the life of the annuitant. An annuity granted under the provisions of section 6 or 7 hereof shall be subject to the limitations specified in said sections."

46 Stat. 472.
5 U. S. C. §§ 710–714.
Ante, pp. 51, 52.

46 Stat. 477.
5 U. S. C. § 723.

SEC. 14. Section 14 of the Act of May 29, 1930, as amended, is hereby repealed.

Effective date.

SEC. 15. Except as otherwise provided herein, this Act shall become effective on the first day of the second month following the month of approval.

Approved February 28, 1948.

[CHAPTER 85]

February 28, 1948
[H. R. 5391]
[Public Law 427]

AN ACT

To continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1501 of the Second War Powers Act, 1942, as amended by the Second Decontrol Act of 1947 (Public Law 188, Eightieth Congress), is hereby amended by striking out "February 29, 1948," and inserting in lieu thereof "the close of May 31, 1948,". Subsection (c) of such section 1501 is hereby amended by striking out "February 29, 1948," and inserting in lieu thereof "May 31, 1948,".

61 Stat. 322, 323.
50 U. S. C., Supp. I, app. § 645 (b), (c).
Post, p. 342.

Approved February 28, 1948.

[CHAPTER 89]

March 3, 1948
[H. R. 1350]
[Public Law 428]

AN ACT

To amend the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes."

National Archives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934 (48 Stat. 1122–1124), as amended, is hereby amended as follows:

44 U. S. C. §§ 300–300k.
Post, pp. 344, 1026.

(A) By striking out the proviso in section 3, and by inserting in lieu thereof the following language: "*Provided*, That whenever the head of any agency shall specify in writing restrictions on the use or examination of records being considered for transfer from his custody to that of the Archivist that appear to him to be necessary or desirable in the public interest, the Archivist shall impose such restrictions on such of the records as are transferred to his custody; and restrictions so imposed shall not be removed or relaxed by the Archivist without the concurrence in writing of the head of the agency from which the material shall have been transferred unless the existence of that agency shall have been terminated: *And provided further*, That restrictions on the use or examination of records in the custody of the Archivist heretofore imposed and now in force and effect under the terms of section 3 of the National Archives Act, approved June 18, 1934, shall continue in force and effect regardless of the expiration of the tenure of office of the official who imposed them but may be removed or

44 U. S. C. § 300c.
Restrictions on use of records.

relaxed by the Archivist with the concurrence in writing of the head of the agency from which the material has been transferred or by the Archivist alone if the existence of that agency shall have been terminated."

(B) By inserting after section 6 a new section as follows:

48 Stat. 1123.
44 U. S. C. § 300f.
Statutory restrictions.

"SEC. 6a. Whenever any records the use of which is subject to statutory limitations and restrictions are transferred to the custody of the Archivist of the United States, permissive and restrictive statutory provisions with respect to the examination and use of such records applicable to the head of the agency having custody of them or to employees of that agency shall thereafter likewise be applicable to the Archivist of the United States and to the employees of the National Archives Establishment, respectively."

(C) By inserting after section 8 a new section as follows:

48 Stat. 1123.
44 U. S. C. § 300h.
Post, p. 1026.
Certifications, etc.

"SEC. 8a. Any official of the United States Government who is authorized to make certifications or determinations on the basis of records in his custody is hereby authorized to make certifications or determinations on the basis of records that have been transferred by him or his predecessors to the custody of the Archivist of the United States."

Approved March 3, 1948.

[CHAPTER 90]

AN ACT

To amend subsection 602 (d) (5) of the National Service Life Insurance Act of 1940, as amended, to extend for two years the time within which eligible persons may apply for gratuitous insurance benefits.

March 3, 1948
[H. R. 4141]
[Public Law 429]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 602 (d) (5) of the National Service Life Insurance Act of 1940, as amended (38 U. S. C. 802 (d) (5)), is amended by substituting "seven" for "five" in the first proviso, so that the subsection will read as follows:

National Service Life Insurance Act of 1940, amendment.
56 Stat. 658.

"(5) If any person deemed to have been issued insurance under subsection (3) (A) or (B) hereof die without filing application and within the time limited therefor, death insurance benefits shall be payable in the manner and to the persons as stated in subsection (2): *Provided*, That no application for insurance payments under subsections (2) or (3) as hereby amended, shall be valid unless filed in the Veterans' Administration within seven years after the date of death of the insured and the relationship and dependency of the applicant, where required as a basis for such claim, shall be proved as of date of death of insured by evidence satisfactory to the Administrator: *And provided further*, That persons shown by evidence satisfactory to the Administrator to have been mentally or legally incompetent at the time the right to apply for continuation of insurance or for death benefits expires, may make such application at any time within one year after the removal of such disability."

Approved March 3, 1948.

[CHAPTER 91]

AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.

March 3, 1948
[H. R. 5525]
[Public Law 430]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise

Urgent Deficiency Appropriation Act, 1948.
Post, pp. 213, 1027.

appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

LEGISLATIVE BRANCH

SENATE

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

39 Stat. 120, 582. 5 U. S. C. §§ 58, 59.

Notwithstanding the provisions of the Act of May 10, 1916, as amended by the Act of August 29, 1916, the Sergeant at Arms of the Senate is hereby authorized during the Eightieth Congress to employ, whenever necessary, the services of Government employees for folding speeches and pamphlets at the prevailing rates provided by law.

CONTINGENT EXPENSES OF THE SENATE

Expenses of Inquiries and Investigations: For an additional amount for expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, but not exceeding the rate of 25 cents per hundred words for the original transcript of reported matter, $300,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

60 Stat. 831.

44 Stat. 688. 5 U. S. C. § 821.

HOUSE OF REPRESENTATIVES

For payment to Mary E. M. Drewry, widow of Patrick H. Drewry, late a Representative from the State of Virginia, $12,500.

For payment to Lida Robsion, widow of John M. Robsion, late a Representative from the State of Kentucky, $12,500.

TEMPORARY CONGRESSIONAL AVIATION POLICY BOARD

Post, p. 214.

For an additional amount for salaries and expenses of the Temporary Congressional Aviation Policy Board created by the Act to establish a National Aviation Council, and for other purposes (Public Law 287, 80th Congress), to be available until June 30, 1948, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman, $5,000: *Provided*, That expenditures hereunder shall be made in accordance with the laws applicable to inquiries and investigations ordered by the Senate.

61 Stat. 676. 49 U. S. C., Supp. I, § 421 note.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Post, p. 214.

Capitol Power Plant: For an additional amount for "Capitol Power Plant", $118,000.

LIBRARY OF CONGRESS

DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For an additional amount for "Salaries and expenses" for the distribution of printed cards and other publications of the Library, $26,000, to be transferred from "Printing and binding, catalogue cards, 1948".

THE JUDICIARY

COURT OF CLAIMS

Salaries and expenses: The appropriation under this head in the Judiciary Appropriation Act, 1948, is hereby made available in an amount not to exceed $25,000, as may be necessary and approved by the chief justice, Court of Claims, for transfer to the appropriation "Repairs and improvements" for expenditure by the Architect of the Capitol for structural changes, alterations, and installations of fixtures in the Court of Claims buildings, necessary for the accommodations of the court.

Post, p. 215.
61 Stat. 303.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For an additional amount for "Salaries of judges", $75,000.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For an additional amount for "Salaries and expenses," $10,000; and the limitation on traveling expenses under this head in The Supplemental Appropriation Act, 1948, is increased from "$50,000" to "$60,000".

61 Stat. 612.

INDEPENDENT OFFICES

ATOMIC ENERGY COMMISSION

Salaries and expenses: The limitation on travel expenses of the Atomic Energy Commission for the fiscal year 1948 is hereby increased from $1,430,000 to $2,430,000.

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Salaries and expenses: For salaries and expenses of the Commission on Organization of the Executive Branch of the Government, $1,188,600: *Provided*, That the appropriation of $750,000 under this head in the Second Supplemental Appropriation Act, 1948, is hereby consolidated with and made a part of this appropriation, the total thereof to be disbursed and accounted for as one fund which shall remain available during the existence of the Commission for expenses necessary to carry out the Act of July 7, 1947 (Public Law 162), as amended by the Act of December 19, 1947 (Public Law 391), including travel expenses; printing and binding; and deposits in the Treasury for penalty mail (39 U. S. C. 321d).

61 Stat. 696.

61 Stat. 246, 940.
5 U. S. C., Supp. I, §§ 138a-138j.

58 Stat. 394.
Post, p. 1049.

FEDERAL MEDIATION AND CONCILIATION SERVICE

Salaries and expenses: For an additional amount for "Salaries and expenses", including attendance at meetings concerned with labor and industrial relations; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); $850,000.

60 Stat. 810.

60 Stat. 843.
Post, p. 1008.

FEDERAL SECURITY AGENCY

BUREAU OF EMPLOYEES' COMPENSATION

Employees' compensation fund: For an additional amount for "Employees' compensation fund", $3,300,000.

OFFICE OF EDUCATION

Further development of vocational education: For an additional amount for "Further development of vocational education", $1,583,942.

PUBLIC HEALTH SERVICE

Grants for hospital construction: For liquidation of contractual obligations authorized to be incurred during the fiscal year 1948 or any subsequent fiscal year for construction grants under part C, title VI, of the Public Health Service Act, as amended (42 U. S. C. 291–291m), $15,000,000, to remain available until expended.

60 Stat. 1042.
Post, pp. 531, 536, 602, 1103.

SOCIAL SECURITY ADMINISTRATION

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For an additional amount for "Grants to States for old-age assistance, aid to dependent children, and aid to the blind", $101,000,000.

HOUSING AND HOME FINANCE AGENCY

FEDERAL HOUSING ADMINISTRATION

Federal Housing Administration: The amount made available under this head in the Government Corporations Appropriation Act, 1948, for administrative expenses of the Federal Housing Administration, is increased from "$20,000,000" to "$20,200,000", the additional amount to be derived from the sources specified under said head.

61 Stat. 578.

PHILIPPINE WAR DAMAGE COMMISSION

Philippine War Damage Commission: The limitation under this head in the Independent Offices Appropriation Act, 1948, on the amount available for necessary expenses of the Philippine War Damage Commission, is increased from "$1,900,000" to "$2,175,000".

61 Stat. 601.

UNITED STATES MARITIME COMMISSION

United States Maritime Commission: The operating receipts made available to the United States Maritime Commission by the Second Supplemental Appropriation Act, 1948, for the purpose of carrying out operating functions transferred to the Maritime Commission by section 202 of the Naval Appropriation Act, 1947, are continued available from March 1, 1948, to April 1, 1948, for carrying out such functions as extended by the Senate Joint Resolution 173, Eightieth Congress, "To continue until March 1, 1949, the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes": *Provided*, That the limitation under this head in the Second Supplemental Appropriation Act, 1948, on the use of operating receipts for "Cost of placing vessels into reserve fleet," is increased from "$5,500,000" to "$6,103,000".

Post, p. 217.

61 Stat. 697.

60 Stat. 501.
50 U. S. C. app. § 1291 note.
Ante, p. 38.

61 Stat. 697.
Post, p. 217.

DISTRICT OF COLUMBIA

COMPENSATION AND RETIREMENT FUND EXPENSES

District government employees' compensation: For an additional amount for "District government employees' compensation", $45,000.

REGULATORY AGENCY

Office of Recorder of Deeds: For an additional amount for "Office of Recorder of Deeds", $33,992.

COURTS

United States courts: For an additional amount, fiscal year 1947, for "United States courts", $227,311.64.

HEALTH DEPARTMENT

Operating expenses, Health Department (excluding hospitals): The appropriation "Operating expenses, Health Department (excluding hospitals)", shall be available, in an amount not to exceed $3,400, for the enforcement of the Act relating to the licensing of undertakers.

Capital outlay, Gallinger Municipal Hospital: For the construction of three elevators and for revision of heating system for the psychiatric unit, $54,500, to remain available until June 30, 1949.

Medical charities: For an additional amount, fiscal year 1947, for care and treatment of indigent patients under contracts made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, $36,923; Central Dispensary and Emergency Hospital, $23,845.30; Eastern Dispensary and Casualty Hospital, $24,333.05; in all, $85,101.35.

Medical charities: For an additional amount, fiscal year 1946, for care and treatment of indigent patients under contracts made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, $27,218; Central Dispensary and Emergency Hospital, $11,203.40; Eastern Dispensary and Casualty Hospital, $16,759.70; in all, $55,181.10.

PUBLIC WELFARE

Agency services: For an additional amount for "Agency services", $36,000; and the limitation for carrying out a "penny milk" program for the school children of the District of Columbia is increased from "$62,000" to "$98,000".

Saint Elizabeths Hospital: For an additional amount for "Saint Elizabeths Hospital", $250,000.

PUBLIC WORKS

Capital outlay, Refuge Division: The Commissioners of the District of Columbia are authorized to enter into contract or contracts for the construction of a refuse transfer station in square 739 at a total cost of not to exceed $918,700.

SETTLEMENT OF CLAIMS AND SUITS

For the payment of claims in excess of $250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (46 Stat. 500), $2,633.23.

JUDGMENTS

For the payment of final judgments, rendered against the District of Columbia, as set forth in House Document No. 502, together with such further sum as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, $11,924.35.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1948.

61 Stat. 425.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Salaries and Expenses

Insect investigations: For an additional amount for "Insect investigations", for sawfly investigations and to provide for investigations in Mexico, including testing of methods that may be used for the control of citrus blackfly, $115,000, to remain available until June 30, 1949.

Insect and plant disease control: For an additional amount for "Insect and plant disease control", $174,200.

Control of Emergency Outbreaks of Insects and Plant Diseases

Control of emergency outbreaks of insects and plant diseases: For an additional amount for "Control of emergency outbreaks of insects and plant diseases", $420,000.

Control of Forest Pests

Forest Pest Control Act: For expenses necessary to carry out the Forest Pest Control Act of June 25, 1947 (Public Law 110), $843,000, to remain available until December 31, 1948.

61 Stat. 177.
16 U. S. C., Supp. I, §§ 594-1—594-5.

FOREST SERVICE

SALARIES AND EXPENSES

National forest protection and management: For an additional amount for "National forest protection and management", $475,000.

Fighting forest fires: For an additional amount for "Fighting forest fires", $4,932,000.

PRODUCTION AND MARKETING ADMINISTRATION

NATIONAL SCHOOL LUNCH ACT

For an additional amount to enable the Secretary of Agriculture to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), $5,000,000.

60 Stat. 230.
42 U. S. C. §§ 1751-1760; Supp. I, § 1752 note.

DEPARTMENT OF COMMERCE

CIVIL AERONAUTICS ADMINISTRATION

Salaries and expenses: Not to exceed $75,000 of the appropriation under this head in the Department of Commerce Appropriation Act, 1948, shall be available for hire of aircraft. 61 Stat. 296.

COAST AND GEODETIC SURVEY

Salaries and expenses, field: For an additional amount for "Salaries and expenses, field", $152,000.

TITLE II—GENERAL PROVISION

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 201. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That no part of the foregoing appropriations shall be used for the purpose of converting any coal-heating units to oil or natural gas or artificial gas in any federally owned or rented buildings in or outside the District of Columbia, or for the installation of oil-heating units in any new construction.

Affidavit.

Penalty.

Short title.

SEC. 202. This Act may be cited as the "Urgent Deficiency Appropriation Act, 1948".

Approved March 3, 1948.

[CHAPTER 97]

JOINT RESOLUTION

March 4, 1948
[H. J. Res. 231]
[Public Law 431]

Providing for membership and participation by the United States in the Caribbean Commission and authorizing an appropriation therefor.

Caribbean Commission.

Whereas representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America

signed "An agreement for the establishment of the Caribbean Commission" in Washington on October 30, 1946, which agreement continued and extended the international cooperative arrangements initiated in 1942 between the United Kingdom of Great Britain and Northern Ireland, and the United States; and

Whereas the purpose of the Caribbean Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the Caribbean area, whose economic and social development is of vital interest to the security of the United States, in accordance with the principles set forth in chapter XI of the Charter of the United Nations: Therefore be it

59 Stat. 1048.

Acceptance of membership for U. S.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the Caribbean Commission, created by "An agreement for the establishment of the Caribbean Commission," signed in Washington on October 30, 1946, by representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, and their alternates, thereto.

Appropriation authorized.
Post, p. 308.

SEC. 2. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated—

(a) Not more than $142,000 annually for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, pursuant to article XV of the "agreement for the Establishment of the Caribbean Commission"; and

(b) Such additional sums as may be needed for the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the Commission: *Provided*, That the provisions of section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b).

42 Stat. 1488.
5 U. S. C. §§ 661–674.

60 Stat. 810.
5 U. S. C. § 55a.

40 Stat. 1270.
41 U. S. C. § 5.

60 Stat. 714.
22 U. S. C. § 287r.

Approved March 4, 1948.

[CHAPTER 98]

AN ACT

March 5, 1948
[S. 1252]
[Public Law 432]

Making certain changes in the organization of the Navy Department, and for other purposes.

Navy Department, organization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

"Naval Establishment."

(a) The term "Naval Establishment" means naval sea, air, and ground forces—vessels of war, aircraft, auxiliary craft and auxiliary

activities, and the personnel who man them—and the naval agencies necessary to support and maintain the naval forces and to administer the Navy as a whole; the Marine Corps, and in time of war or when the President shall so direct, the Coast Guard, are parts of the Naval Establishment.

"Navy Department."

(b) The term "Navy Department" means the executive part of the establishment at the seat of the Government.

"Operating forces."

(c) The term "operating forces" means the several fleets, sea-going forces, sea-frontier forces, district forces, and such of the shore establishment of the Navy and other forces and activities as may be assigned to the operating forces by the President or the Secretary of the Navy.

CHIEF OF NAVAL OPERATIONS

SEC. 2. (a) There shall be a Chief of Naval Operations who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of not more than four years, from among the officers of the active list of the line of the Navy who are eligible for the exercise of command at sea and not below the grade of rear admiral. The Chief of Naval Operations shall take rank above all other officers of the naval service.

Duties.

(b) It shall be his duty to command the operating forces and be responsible to the Secretary of the Navy for their use, including, but not limited to, their training, readiness, and preparation for war, and plans therefor. In addition, the Chief of Naval Operations shall be the principal naval adviser to the President and to the Secretary of the Navy on the conduct of war, and the principal naval adviser and naval executive to the Secretary of the Navy on the conduct of the activities of the Naval Establishment.

VICE CHIEF OF NAVAL OPERATIONS

SEC. 3. A flag officer of the active list of the line of the Navy, eligible for the exercise of command at sea, shall be appointed by the President, by and with the advice and consent of the Senate, to be Vice Chief of Naval Operations. The Vice Chief of Naval Operations shall exercise such executive authority with respect to the Naval Establishment as the Chief of Naval Operations may, with the approval of the Secretary of the Navy, delegate to him, and in case of the death, resignation, absence, or sickness of the Chief of Naval Operations shall, until otherwise directed by the President as provided by section 179 of the Revised Statutes, perform the duties of the Chief of Naval Operations until his successor is appointed or such absence or sickness shall cease. All orders issued by the Vice Chief of Naval Operations in performing duties assigned him shall be considered as emanating from the Chief of Naval Operations and shall have full force and effect as such.

5 U. S. C. § 6.

DEPUTY CHIEFS OF NAVAL OPERATIONS

SEC. 4. There shall be in the Office of the Chief of Naval Operations not more than six Deputy Chiefs of Naval Operations, who shall be detailed by the Secretary of the Navy from among the flag officers of the active list of the line of the Navy. The Deputy Chiefs of Naval Operations shall be charged, under the direction of the Chief of Naval Operations, with the execution of the functions of their respective divisions. All orders issued by the Deputy Chiefs of Naval Operations in performing duties assigned them shall be considered as emanating from the Chief of Naval Operations and shall have full force and effect as such.

ASSISTANT CHIEFS OF NAVAL OPERATIONS

SEC. 5. Officers of the active list of the line of the Navy or Marine Corps, in numbers considered by the Chief of Naval Operations to be appropriate and necessary, shall, with the approval of the Secretary of the Navy, be detailed as Assistant Chiefs of Naval Operations. The Assistant Chiefs of Naval Operations shall perform such duties as the Chief of Naval Operations may prescribe.

NAVAL INSPECTOR GENERAL

SEC. 6. In addition to the divisions herein created, there shall be in the Office of the Chief of Naval Operations the Office of the Naval Inspector General. The Naval Inspector General shall be a flag officer of the active list of the line of the Navy. The Naval Inspector General shall be charged, when directed, with the inquiry into, and the report upon, any matter which affects the discipline or military efficiency of the Naval Establishment. He shall make such inspections, investigations, and reports as may be directed by the Secretary of the Navy or by the Chief of Naval Operations. He shall propose, periodically, programs of inspections to the Chief of Naval Operations and he shall recommend additional inspections and investigations as may from time to time appear appropriate.

Duties.

Inspections, reports, etc.

CHIEF OF NAVAL MATERIAL

SEC. 7. (a) There is hereby established in the Navy Department an Office of Naval Material which shall be headed by a Chief of Naval Material, who shall be detailed by the Secretary of the Navy from among officers on the active list of the Navy not below the rank or grade of rear admiral. He shall be entitled to receive the pay, allowances, and the privileges of retirement as are now or may hereafter be prescribed by law for chiefs of bureaus in the Navy Department.

Duties.

(b) The Chief of Naval Material shall, under the direction of the Secretary of the Navy, effectuate policies of procurement, contracting, and production of material throughout the Naval Establishment, and plans therefor, and his orders shall be considered as emanating from the Secretary of the Navy and as having full force and effect as such.

VICE CHIEF OF NAVAL MATERIAL

SEC. 8. An officer on the active list of the Navy may be detailed as Vice Chief of Naval Material, and such officer, in case of the death, resignation, absence, or sickness of the Chief of Naval Material, shall, until otherwise directed by the President as provided by section 179 of the Revised Statutes, perform the duties of such Chief until his successor is appointed or such absence or sickness shall cease.

5 U. S. C. § 6.

COORDINATING DUTIES

SEC. 9. In order that military operations and the support thereof shall be effectively coordinated, the Chief of Naval Operations, under the direction of the Secretary of the Navy, shall determine the personnel and material requirements of the operating forces, including the order in which ships, aircraft, surface craft, weapons, and facilities are to be constructed, maintained, altered, repaired, and overhauled, and shall coordinate and direct the efforts of the bureaus and offices of the Navy Department as may be necessary to effectuate availability and distribution of the personnel and material required where and when they are needed. The Chief of Naval Material, under the direction of the Secretary of the Navy, shall determine the procurement

and production policies and methods to be followed by the Naval Establishment in meeting the material requirements of the operating forces, and shall coordinate and direct the efforts of the bureaus and offices of the Navy Department in this respect.

Succession to duties of Secretary of Navy.

SEC. 10. During the temporary absence of the Secretary of the Navy, the Under Secretary of the Navy, the Assistant Secretary of the Navy, and the Assistant Secretary of the Navy for Air; the Chief of Naval Operations, and the Vice Chief of Naval Operations in that order, shall be next in succession to act as the Secretary of the Navy.

Grade, rank, pay, and allowances.

SEC. 11. The Vice Chief of Naval Operations, the Deputy Chiefs of Naval Operations, the Naval Inspector General, and the Chief of Naval Material may have the grade, rank, pay, and allowances provided under any provision of law heretofore or hereafter enacted which authorizes such grade, rank, pay, and allowances for officers so designated by the President to perform any special or unusual duty or duty of great importance and responsibility.

SEC. 12. (a) That portion of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes", approved March 3, 1915, which reads as follows: "There shall be a Chief of Naval Operations, who shall be an officer on the active list of the Navy appointed by the President, by and with the advice and consent of the Senate, from among the officers of the line of the Navy not below the grade of captain for a period of four years, who shall, under the direction of the Secretary of the Navy, be charged with the operations of the fleet, and with the preparation and readiness of plans for its use in war" (38 Stat. 929), is hereby repealed. 5 U. S. C. § 422.

(b) Section 2 of the Act entitled "An Act providing for the reorganization of the Navy Department, and for other purposes", approved June 20, 1940 (54 Stat. 494), is hereby repealed. 5 U. S. C. § 422a.

(c) That portion of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes", approved March 3, 1915, which reads as follows: "During the temporary absence of the Secretary and the Assistant Secretary of the Navy, the Chief of Naval Operations shall be next in succession to act as Secretary of the Navy" (38 Stat. 929), as amended by the Act entitled "An Act to amend the provision contained in the Act approved March 3, 1915, providing that the Chief of Naval Operations, during the temporary absence of the Secretary and Assistant Secretary of the Navy, shall be next in succession to act as Secretary of the Navy," approved February 11, 1927 (44 Stat. 1086), is hereby repealed. 5 U. S. C. § 423.

(d) The Act entitled "An Act to provide for an Assistant to the Chief of Naval Operations", approved May 27, 1930 (46 Stat. 430), is hereby repealed. 5 U. S. C. § 426a.

Approved March 5, 1948.

[CHAPTER 99]

AN ACT

March 5, 1948
[S. 1961]
[Public Law 433]

To amend the Act of December 3, 1945, so as to extend the exemption of Navy or Coast Guard vessels of special construction from the requirements as to the number, position, range, or arc of visibility of lights, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of December 3, 1945 (59 Stat. 590), is hereby repealed. 50 U. S. C. app. § 1731 note.

Approved March 5, 1948.

[CHAPTER 100]

AN ACT

March 5, 1948
[H. R. 2159]
[Public Law 434]

To authorize the Secretary of the Interior to prepare plans and estimates for a sewage-disposal system to serve the Yorktown area of the Colonial National Historical Park, Virginia, and for other purposes.

Colonial National Historical Park, Va.
Sewage-disposal system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, through the National Park Service, is hereby authorized and directed to make a study of sewage conditions in the Yorktown area of the Colonial National Historical Park, Virginia, and to prepare construction plans and estimates for an adequate sewage-disposal system for said area, including disposal of sewage from privately owned property in the locality of and within the said park. Such construction plans and estimates shall include an equitable basis for payment by private owners, who may use the sewage-disposal system, of a fair and reasonable proportionate share of the cost of construction of the said system and of the annual costs incidental to its maintenance and operation.

Report to Congress.

SEC. 2. The Secretary of the Interior shall transmit to the Congress a full and comprehensive report on this matter within one year from the date of appropriation of funds to carry out the provisions of this Act.

Appropriation authorized.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to carry out the provisions of this Act.

Approved March 5, 1948.

[CHAPTER 101]

JOINT RESOLUTION

March 5, 1948
[H. J. Res. 61]
[Public Law 435]

To provide for the designation of the Park River dam and reservoir project in Walsh County, North Dakota, as the Homme Reservoir and Dam.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Park River dam and reservoir project in Walsh County, North Dakota, shall be designated on the public records as the Homme Reservoir and Dam.

Approved March 5, 1948.

[CHAPTER 103]

AN ACT

March 8, 1948
[S. 1195]
[Public Law 436]

To repeal the laws relating to the length of tours of duty of officers and enlisted men of the Army at certain foreign stations.

Foreign duty of Army personnel.
38 Stat. 1078.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that portion of the Act of March 4, 1915, as amended (10 U. S. C. 17), which reads "No officer or enlisted man of the Army shall, except upon his own request, be required to serve in a single tour of duty for more than two years in the Philippine Islands, on the Asiatic station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone, except in case of insurrection or of actual or threatened hostilities and except in the discretion of the Secretary of War for temporary emergencies: *Provided*, That the foregoing provision shall not apply to the organization known as the 'Philippine Scouts' " is hereby repealed.

"SEC. 2. The Secretary of Defense shall advise the Committees on Armed Services of the Senate and the House of Representatives on the first of April and the first of October of each year concerning the regulations governing the lengths of tours of duty outside the continental United States of personnel of the Army, and Air Force, and of any changes therein."

Report to Congressional committees.

Approved March 8, 1948.

[CHAPTER 104]

AN ACT

To authorize the carrying of Civil War battle streamers with regimental colors.

March 9, 1948
[S. 703]
[Public Law 437]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with such regulations as the Secretary of War may prescribe, each regiment and other units of the Army of the United States is hereby authorized to carry appropriate Civil War battle streamers with its regimental colors or standards, upon verification in the War Department that it is entitled to such honors.

Civil War battle streamers.

Approved March 9, 1948.

[CHAPTER 105]

AN ACT

To authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War.

March 9, 1948
[S. 1802]
[Public Law 438]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to award, in the name of the Congress, a Medal of Honor to the unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War, and who will lie buried in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, as authorized by the Act of June 24, 1946, Public Law 429, Seventy-ninth Congress.

Unknown American of World War II. Medal of Honor.

60 Stat. 302.

Approved March 9, 1948.

[CHAPTER 107]

AN ACT

To authorize the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury to accept and use gifts, devises, and bequests for schools, hospitals, libraries, cemeteries, and other institutions under the jurisdiction of the Department of the Army, the Department of the Navy, the Department of the Air Force, or the Department of the Treasury respectively, and for other purposes.

March 11, 1948
[S. 1528]
[Public Law 439]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury is hereby authorized in his discretion to accept, receive, hold, administer, and expend any gift, devise, or bequest of property, real or personal, made on condition that it be used for the benefit of, or in connection with, the establishment, operation, maintenance, or administration of any school, hospital, library, museum, cemetery, or other institution or organization

Military Departments, etc.
Acceptance of gifts, devises, and bequests.

under the jurisdiction of the Department of the Army or the Army, the Department of the Navy or the Navy, the Department of the Air Force or the Air Force, or the Treasury Department or the Coast Guard, respectively. The Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury, as the case may be, is further authorized to pay all necessary fees, charges, and expenses in connection with the conveyance or transfer of any such gift, devise, or bequest.

Expenses of conveyance.

Deposit in Treasury.

SEC. 2. Gifts or bequests of money or the proceeds from sales of other property received as gifts or devises pursuant to this Act shall be deposited in the Treasury of the United States under the title "United States Department of the Army General Gift Fund", "United States Department of the Navy General Gift Fund", "United States Department of the Air Force General Gift Fund", or "United States Coast Guard General Gift Fund", as the case may be, and any funds so deposited shall be subject to disbursement by the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury, as the case may be, for the benefit or use of the designated institution or organization, subject to the terms and conditions of any particular gift, devise, or bequest.

Taxes.

SEC. 3. For the purpose of Federal income, estate, and gift taxes, any gift, devise, or bequest of property, real or personal, accepted by the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury under authority of this Act shall be deemed to be a gift, devise, or bequest to or for the use of the United States.

Investments.

SEC. 4. The Secretary of the Treasury is authorized, upon request of the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or, in his own discretion insofar as the Coast Guard general gift fund is concerned, as the case may be, to invest, reinvest, or retain investments of the money or securities composing the United States Department of the Army general gift fund, the United States Department of the Navy general gift fund, the United States Department of the Air Force general gift fund, or the United States Coast Guard general gift fund, as the case may be, or any part thereof deposited in the Treasury pursuant to section 2 of this Act, in securities of the United States of America or in securities guaranteed as to principal and interest by the United States of America. The interest and profits accruing from such securities shall be deposited to the credit of the United States Department of the Army general gift fund, the United States Department of the Navy general gift fund, the United States Department of the Air Force general gift fund, or the United States Coast Guard general gift fund, as the case may be, and will be available for disbursement as provided in section 2 of this Act.

Interest.

Approved March 11, 1948.

[CHAPTER 108]

AN ACT

March 11, 1948
[S. 1698]
[Public Law 440]

To define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes.

Uintah and Ouray Reservation, Utah.
Exterior boundary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundary of the Uintah and Ouray Reservation in Grand and Uintah Counties, in the State of Utah, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, is hereby extended to include the following area:

Beginning at the northwest corner of section 18, township 9 south, range 20 east, Salt Lake meridian, and running thence west to Green River;

Thence northeasterly up Green River approximately thirteen miles to a point where said river intersects the north line of section 11, township 8 south, range 20 east;

Thence east along said section line seven miles to the northeast corner of section 12, township 8 south, range 21 east, Salt Lake meridian;

Thence south along section line two miles to the northeast corner of section 24, township 8 south, range 21 east, Salt Lake meridian;

Thence east one mile to the northeast corner of section 19, township 8 south, range 22 east; thence south one mile to the southeast corner of said section 19; thence east two miles to the northeast corner of section 28;

Thence south six miles to the southeast corner of section 21, township 9 south, range 22 east, Salt Lake meridian;

Thence west eleven miles to the northeast corner of section 27, township 9 south, range 20 east, Salt Lake meridian;

Thence south eight miles to the southeast corner of section 34, township 10 south, range 20 east;

Thence west one and one-half miles to the south quarter corner of section 33;

Thence north one-half mile to the center of said section 33;

Thence east one-fourth of a mile to the southwest corner of the southeast quarter northeast quarter, said section 33;

Thence north one mile to the southeast corner of the southwest quarter northeast quarter, section 28;

Thence west one-quarter of a mile to the center of said section 28;

Thence south one-fourth of a mile to the southeast corner of the northeast quarter southwest quarter, said section 28;

Thence west one-fourth of a mile to the north rim of Big Pack Mountain;

Thence southwesterly along said rim approximately one and one-half miles to the north quarter corner of section 4, township 11 south, range 20 east;

Thence south three-fourths of a mile to the southeast corner of the northeast quarter southwest quarter, said section 4;

Thence west one-fourth of a mile to the northeast corner of the southwest quarter southwest quarter, said section 4;

Thence south one-half mile to the southeast corner of the northwest quarter northwest quarter, section 9;

Thence west one-half mile to the southwest corner of the northeast quarter northeast quarter, section 8;

Thence south three-fourths of a mile to the southeast corner of the southwest quarter southeast quarter, said section 8;

Thence west three-fourths of a mile to the northeast corner of section 18;

Thence south along section line to the southeast corner of said section 18;

Thence southerly along the west rim of Big Pack Mountain approximately three and three-fourths miles to the northeast corner of the southeast quarter southeast quarter, section 1, township 12 south, range 19 east, Salt Lake meridian;

Thence south along the township line five and one-fourth miles to the southeast corner of township 12 south, range 19 east;

Thence following the north and east boundary of Indian Allotment Numbered 353 Uncompahgre on Hill Creek to the southeast corner of said allotment;

Thence along the east line of township 13 south, range 19 east, approximately one and one-half miles to the north rim of East Squaw Canyon;

Thence southeasterly along said rim and up said canyon approximately three and three-fourths miles to the northeast corner of section 33, township 13 south, range 20 east;

Thence south along the section line 6 miles to the northeast corner of section 33, township 14 south, range 20 east;

Thence along the north rim of Flat Rock Mesa approximately six miles to the west quarter corner of section 24;

Thence easterly along the north rim of Ute Canyon approximately two miles to the north quarter corner of section 19, township 14 south, range 21 east, Salt Lake meridian;

Thence continuing along the north rim of said canyon approximately three miles to the center of section 21;

Thence south one mile to the center of section 28;

Thence west one-half mile to the west line of said section;

Thence south one and one-half miles to the southeast corner of section 32;

Thence west along the south line of said township two miles to the southwest corner of township 14 south, range 21 east;

Thence south six miles along the east line of township 15 south, range 20 east, to the southeast corner of said township;

Thence east one-half mile to the center of the north line of section 33, township 15½ south, range 21 east, Salt Lake meridian;

Thence south approximately one and one-half miles to the south quarter corner of section 4, township 16 south, range 21 east, Salt Lake meridian;

Thence west one-half mile to the southwest corner of said section 4;

Thence north one-fourth of a mile to the southeast corner of the northeast quarter southeast quarter, section 5;

Thence west one-half mile to the northeast corner of the southeast quarter southwest quarter, said section 5;

Thence south two and one-fourth miles to the south quarter corner of section 17;

Thence west one-half mile to the northeast corner of section 19;

Thence south one-half mile to the east quarter corner of said section 19;

Thence west one-half mile to the center of said section 19;

Thence south two and one-half miles to the south quarter corner of section 31;

Thence west one-half mile to the southwest corner of said township 16 south, range 21 east;

Thence south one and one-half miles to the east quarter corner of section 12, township 17 south, range 20 east, Salt Lake meridian;

Thence west one mile to the east quarter corner of section 11;

Thence south one-half mile to the southeast corner of said section 11;

Thence west one-half mile to the south quarter corner of said section 11;

Thence south one mile to the south quarter corner of section 14;

Thence west one-half mile to the southwest corner of said section 14;

Thence south one mile to the southeast corner of section 22;

Thence west one mile to the southwest corner of section 22;

Thence south approximately one and one-half miles to a point where the section line intersects the ridge between Supply Canyon and West Willow Creek;

Thence southwesterly along said ridge approximately two and one-half miles to the south quarter corner of section 8, township 18 south, range 20 east;

Thence south to the center of section 17;

Thence east one-half mile to the east quarter corner of said section 17;

Thence south to the southeast corner of said section 17;
Thence east approximately one-third of a mile to the top of the ridge between Clear Creek and West Willow Creek;
Thence southerly along the top of said ridge approximately three miles to the center of section 33;
Thence south one-half mile to the south quarter corner of said section 33;
Thence east one-fourth of a mile;
Thence south two miles to the southeast corner of the southwest quarter southeast quarter, section 9, township 19 south, range 20 east, Salt Lake meridian;
Thence east one-fourth of a mile to the northeast corner of section 16;
Thence south one mile to the southeast corner of said section 16;
Thence west three miles to the southwest corner of section 18;
Thence north 2 and three-fourths miles;
Thence west one-fourth of a mile;
Thence north one-fourth of a mile to the southwest corner of the southeast quarter southeast quarter, section 36, township 18 south, range 19 east;
Thence west three-fourths of a mile to the southwest corner of said section 36;
Thence northwesterly along the watershed divide of Book Cliff Mountains approximately twelve and one-half miles to the east quarter corner of section 6, township 18 south, range 19 east;
Thence southwesterly down Coal Creek Canyon approximately thirteen miles to Green River at a point approximately one-fourth of a mile west of the southeast corner of section 18, township 18 south, range 17 east, Salt Lake meridian;
Thence northerly up Green River to a point two and one-half miles north eighty degrees west from the southwest corner of section 7, township 12 south, range 19 east, Salt Lake meridian;
Thence southwesterly along the east rim of Main Tabyago Canyon approximately three and one-half miles;
Thence south five-eighths of a mile to the rim of the ridge;
Thence southwesterly across West Tabyago Canyon approximately one-half mile to the ridge;
Thence southwesterly along the north rim of the ridge approximately two and one-fourth miles to Rock House Canyon;
Thence southwesterly across Rock House Canyon approximately three-fourths of a mile to the top of knoll in Rock House Canyon;
Thence southeasterly along the south rim of Rock House Canyon approximately two and three-fourths miles to a point approximately one mile north of Gray Knoll;
Thence south one-half mile across bench to north rim of Big Canyon; thence southeasterly along the north rim of Big Canyon approximately two miles to the head of draw approximately one mile east of Gray Knoll;
Thence southeasterly one-fourth of a mile across bench to the north rim of Big Canyon Flat;
Thence southeasterly along north rim of Big Canyon Flat approximately three and one-fourth miles;
Thence east approximately one-fourth of a mile across bench to the north rim of Big Canyon Flat;
Thence southeasterly along the north rim of Big Canyon Flat approximately one mile;
Thence east approximately one-fourth of a mile across bench to north rim of Big Canyon Flat;
Thence southeasterly along the north rim of Big Canyon Flat approximately two and one-half miles;

Thence east approximately one-fourth of a mile across bench;
Thence southeasterly along the north rim of Big Canyon Flat approximately one and three-fourths miles;
Thence east to northwest corner of section 31, township 13 south, range 19 east, Salt Lake meridian;
Thence east one mile;
Thence south one mile;
Thence east one mile to the southeast corner of section 32;
Thence east on section line to CCC road;
Thence northerly along said CCC road to the point where said road intersects rim of a mesa south of the north line of township 13 south, range 19 east, Salt Lake meridian;
Thence northeasterly along said rim to the northeast corner of section 26 of said township and range;
Thence north one-fourth of a mile;
Thence east one-fourth of a mile;
Thence north one-fourth of a mile to the northwest corner of the northeast quarter southwest quarter, section 24;
Thence northerly along Hill Creek approximately one and one-fourth miles;
Thence west one-fourth of a mile;
Thence south one-fourth of a mile to the quarter corner between sections 13 and 14;
Thence west two miles to the quarter corner between sections 15 and 16;
Thence north along the section line one-half mile to the southeast corner of section 9 to the top of the ridge;
All of the foregoing descriptions being in township 12 south, range 19 east, Salt Lake meridian;
Thence northerly along the top of said ridge three and three-fourths miles to the center of section 28, township 11 south, range 19 east, Salt Lake meridian;
Thence northwesterly to the CCC road;
Thence northwesterly along said road to the top rim of Wild Horse Bench;
Thence northeasterly along the top rim of Wild Horse Bench to the southeast corner of section 21;
Thence north one mile;
Thence diagonally northeast to the southwest corner of section 1;
Thence northeasterly to the north quarter corner of said section 1;
Thence east one-half mile to the intersection of CCC road at the northeast corner of said section 1;
Thence northeasterly along said road approximately four miles to where said road intersects the east line of section 20, township 10 south, range 20 east, Salt Lake meridian;
Thence north along said section line to the east quarter corner of section 8, township 10 south, range 20 east, Salt Lake meridian;
Thence northeasterly to the northwest corner of Indian Allotment Numbered 326 Uncompahgre;
Thence east to Willow Creek;
Thence northwesterly down Willow Creek to the west line of section 4, township 10 south, range 20 east, Salt Lake meridian;
Thence south along said section line to the southwest corner of section 4, said township and range;
Thence west one mile;
Thence north four miles to the northwest corner of section 20, township 9 south, range 20 east, Salt Lake meridian;
Thence west one mile;
Thence north one mile to point of beginning.

Valid rights and claims of individuals initiated under the public-land laws or otherwise involving any lands within said boundary shall not be affected by this Act.

Uranium, thorium, etc.

The foregoing reservation shall not extend to or include deposits of uranium, thorium, and other materials reserved to the United States by section 5 (b) 7 of the Atomic Energy Act of 1946 (60 Stat. 755, 762), and shall include surface rights only in lands withdrawn by Executive Order Numbered 5327, dated April 15, 1930, as interpreted by Circular Numbered 1220, dated June 9, 1930 (53 I. D. 127), and more particularly described in a letter dated April 22, 1931, addressed to the register, Salt Lake City, Utah, by the Commissioner of the General Land Office.

42 U. S. C. § 1805 (b) (7).
43 CFR 197 note.

Right-of-way for water purposes, etc.

There is hereby reserved, within the area above described, for the benefit and use of grazing-district permittees, a free right-of-way for trailing and watering purposes, subject to the usual and customary rules and regulations concerning stock driveways within grazing districts, the use of said right-of-way for watering purposes being limited to the usual and customary use of grazing-district permittees adjacent to said right-of-way, over the following lands:

(a) A stock driveway one mile wide along the north side of the White River Road running east from Ouray;

(b) A stock driveway described as beginning at the east quarter corner of section 3, township 9 south, range 20 east, Salt Lake meridian; running thence south eleven and one-half miles to the southeast corner of section 34, township 10 south, range 20 east, Salt Lake meridian; thence west to Willow Creek; thence northerly down Willow Creek to Black Bridge situated in the northwest quarter northeast quarter, section 22, township 10 south, range 20 east, Salt Lake meridian; thence northwesterly following the north and east boundaries of Indian allotments and tribal lands on east side of Willow Creek to the southwest corner of section 32, township 9 south, range 20 east, Salt Lake meridian; thence north five and one-fourth miles to Green River; thence up Green River and White River and on the south side of Indian allotments to point of beginning;

(c) A stock driveway one-half mile on each side of the road running southwesterly from what is known as Squaw Crossing on Willow Creek to the south rim of Wild Horse bench insofar as said road enters or crosses the said reservation;

(d) A stock driveway running from the head of Brown Canyon near the northeast corner of township 11 south, range 19 east, Salt Lake meridian, southeasterly down Brown Canyon across Hill Creek to Big Pack Mountain;

(e) A stock driveway one mile wide across Hill Creek immediately south of Rock House situated in the south half of section 13, township 12 south, range 19 east, Salt Lake meridian.

There is also reserved a watering right on Hill Creek between the Black Bridge and the Brown Ranch for the permittee using the public domain immediately west of said water place.

Revocation of order.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to revoke the order dated September 26, 1933, temporarily withdrawing in aid of legislation certain lands in the former Uncompahgre Indian Reservation.

Relinquishment of certain land by Utah.

SEC. 3. The State of Utah may relinquish to the United States for the benefit of the Indians of the said Ute Reservation such tracts of school or other State-owned lands, surveyed or unsurveyed, within the said reserved area, as it may see fit, reserving to said State, if it so desires, such rights as it may possess to any minerals underlying such State lands as may be relinquished, and said State shall have the right to make selections in lieu thereof outside of the area hereby withdrawn, equal in value, as determined by the Secretary of the Interior, to the

lands relinquished, from the vacant, unappropriated, nonmineral public lands, within the State of Utah, such lieu selections to be made in the manner provided in the enabling Act pertaining to said State, except as to the payment of fees or commissions, which are hereby waived. The value of improvements owned by the State on lands relinquished to the United States for the benefit of said Indians shall be taken into consideration and full credit in the form of lands shall be allowed therefor. Any funds now or hereafter on deposit in the United States Treasury to the credit of the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, are hereby made available, and with the consent of the Uintah and Ouray Tribal Business Committee, may be expended for the purchase of privately owned and State-owned lands, including the improvements thereon, and improvements heretofore placed on public lands, together with water rights and water holes, within said boundary. The title to lands purchased under this authorization may, in the discretion of the Secretary of the Interior, be taken for the surface only. Title to any lands and rights acquired hereunder shall be taken in the name of the United States in trust for the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, and such lands or rights shall be exempt from State or local taxation.

Title to lands.

SEC. 4. In any suit now pending or hereafter brought against the United States by the Ute Indian Tribe of the Uintah and Ouray Reservation, or by any one or more of the separate bands comprising said Ute Indian Tribe of the Uintah and Ouray Reservation, in the Court of Claims, the Indian Claims Commission or before any other tribunal, the United States may claim, as an offset against any judgment recovered therein, the fair market value as of the date of this Act of any interest in public lands conveyed by section 1 hereof, and any improvements thereon, and the fair market value as of the date of the transfer of title of the lands and improvements which may be relinquished by the State of Utah to the United States under section 3 of this Act. The validity and amount of any such claim shall be determined by the court, commission, or tribunal in conformity with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1049, 1050).

Judgments against U. S.; offset.

25 U. S. C. § 70a.

Approved March 11, 1948.

[CHAPTER 109]

AN ACT

March 11, 1948
[H. R. 4023]
[Public Law 441]

To authorize the establishment of the De Soto National Memorial, in the State of Florida, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing an appropriate memorial to Hernando De Soto, the Secretary of the Interior is authorized, in his discretion, to acquire on behalf of the United States, by donation, by purchase with donated funds when purchaseable at prices deemed by him reasonable, or by condemnation with donated funds, such lands and interests in land within an area of not to exceed twenty-five acres as he may select in the vicinity of Tampa Bay and Bradenton, Florida, and to construct thereon a suitable memorial structure, together with such connecting roads and public facilities as may be desirable.

De Soto National Memorial, Fla.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land has been acquired by the United States for the memorial, such property shall be established as the "De Soto National Memorial", and shall be administered by the Secretary of the Interior, through the National Park Service, for the benefit of the people of the United States. An order of the Secretary of the Interior, constituting notice of such establishment, shall be published in the Federal Register.

Publication of order in Federal Register.

Insofar as applicable and not in conflict with this Act, the Act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and development of the national memorial.

16 U. S. C. §§ 1-4, 22, 43.

SEC. 3. There is hereby authorized to be appropriated such sums, not to exceed $25,000, as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved March 11, 1948.

[CHAPTER 115]

AN ACT

March 13, 1948
[S. 1796]
[Public Law 442]

To provide for the preservation of the frigate Constellation and to authorize the disposition of certain replaced parts of such vessel as souvenirs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to repair, equip, and restore the frigate Constellation, as far as may be practicable, to her original condition, but not for active service, and to accept and use any donations or contributions which may be offered for the aforesaid purpose. Except so far as is necessary to incur expense to carry out the provisions of section 2 of this Act, no action shall be taken to repair, equip, or restore such frigate until the Department of the Navy shall have received by donation or contribution, or by sales made pursuant to section 2 of this Act, a sum not less than 75 per centum of the estimated cost of said restoration as certified by the Secretary of the Navy. The Secretary's certification will include the cost of all repairs and equipment, and will exclude the pay and allowances of naval officers and enlisted men engaged in the restoration.

Frigate Constellation.
Restoration.

SEC. 2. The Secretary of the Navy is hereby further authorized to give or to sell, under such regulations as he may prescribe, such parts or pieces, including rigging, of the frigate Constellation, as are suitable for use as relics, souvenirs, or mementos, and which cannot profitably or advantageously be used in restoring this vessel to original condition, to clubs, associations, or individuals making donations or contributions for the restoration of the frigate Constellation. The cost of converting the aforesaid material into relics, souvenirs, or mementos shall be charged against, and the proceeds of such sales shall be added to, the fund created by authority of this Act.

Relics, souvenirs, etc.

Approved March 13, 1948.

[CHAPTER 117]

AN ACT

March 15, 1948
[H. R. 2161]
[Public Law 443]

To amend the Act entitled "An Act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shale, agricultural and forestry products, and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes", approved April 5, 1944 (58 Stat. 190).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 5, 1944 (58 Stat. 190), is amended by changing the words "five years", in the first sentence, to read "eight years", and by changing the numeral "$30,000,000" in section 6 to read "$60,000,000" and by adding to section 1 of the Act the following: "and that not to exceed $1,000,000 of the amount authorized by this Act may be applied to a program of production research on secondary recovery from stripper oil fields and in refining processes".

Synthetic liquid fuels.
30 U. S. C. § 321.

58 Stat. 191.
30 U. S. C. § 321 note.

Approved March 15, 1948.

[CHAPTER 120]

AN ACT

March 15, 1948
[S. 1317]
[Public Law 444]

To give to members of the Crow Tribe the power to manage and assume charge of their restricted lands, for their own use or for lease purposes, while such lands remain under trust patents.

Crow Indians.
Lease of trust lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of the first section of the Act of May 26, 1926, entitled "An Act to amend sections 1, 5, 6, 8, and 18 of an Act approved June 20, 1920, 'an Act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds and for other purposes.'," approved May 26, 1926 (44 Stat. 658, 659), be amended to read as follows: "*Provided further*, That any Crow Indian classified as competent may lease his or her trust lands or any part thereof and the trust lands of their minor children for farming and grazing purposes: *Provided*, That any Crow Indian classified as competent shall have the full responsibility of obtaining compliance with the terms of any lease made: *And provided further*, That leases on inherited or devised trust lands having more than five competent devisees or heirs shall be made only with the approval of the Superintendent. Any adult incompetent Indian with the approval of the Superintendent may lease his or her trust lands or any part thereof and the inherited or trust lands of their minor children for farming and grazing purposes. The trust lands of orphan minors shall be leased by the Superintendent. Moneys received for and on behalf of all incompetent Indians and minor children shall be paid to the Superintendent by the lessee for the benefit of said Indians. No lease shall be made for a period longer than five years, except irrigable lands under the Big Horn Canal, which may be leased for periods of ten years. All leases made under this Act shall be recorded at the Crow Agency."

Responsibility.

Approval of Superintendent.

Time limitation.

Approved March 15, 1948.

[CHAPTER 121]

AN ACT

March 15, 1948
[H. R. 3973]
[Public Law 445]

Relating to the compensation of commissioners for the Territory of Alaska.

Alaska.
Compensation of commissioners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions relating to fees earned by commissioners for the Territory of Alaska of section 11 of the Act of June 6, 1900, entitled "An Act making further provision for a civil government for Alaska, and for other purposes", as amended (U. S. C., 1940 edition, title 48, sec. 116), each such commissioner shall pay to the clerk of the proper division of the court only so much of the aggregate net fees earned during the calendar year by such commissioner as exceeds the sum of $5,000.

31 Stat. 326.

Approved March 15, 1948.

[CHAPTER 133]

AN ACT

March 16, 1948
[H. R. 4980]
[Public Law 446]

Relating to the acquisition by the United States of State-owned lands within Glacier National Park, in the State of Montana, and for other purposes.

Glacier National Park, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to acquire, and the State of Montana is authorized to convey to the United States, without regard to the

requirements contained in section 11 of the Act approved February 22, 1889 (25 Stat. 676), any lands, interests in lands, buildings, or other property, real and personal, owned by the State of Montana within the boundaries of Glacier National Park. The aforesaid properties may be acquired from the State of Montana by the Secretary of the Interior for such consideration as he may deem advisable, when the acquisition of such property would, in his judgment, be in the best interests of the United States.

Approved March 16, 1948.

[CHAPTER 136]

AN ACT

March 17, 1948
[H. R. 3936]
[Public Law 447]

To authorize the United States Park Police to make arrests within Federal reservations in the environs of the District of Columbia, and for other purposes.

U. S. Park Police.
Arrests in environs of D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and within roads, parks, parkways, and other Federal reservations in the environs of the District of Columbia over which the United States has, or shall hereafter acquire, exclusive or concurrent criminal jurisdiction, the several members of the United States Park Police force shall have the power and authority to make arrests without warrant for any felony or misdemeanor committed in the presence or view of such members in violation of any Federal law or regulation issued pursuant to law, or for any felony that in fact has been or is being committed in violation of any such law or regulation where they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony, and shall have power to take any person arrested by them, without unnecessary delay, before the Federal court having jurisdiction over the offense or before a United States commissioner specifically designated to try and sentence persons charged with petty offenses as provided in the Act of October 9, 1940 (54 Stat. 1058), or before any other officer having authority to hold or commit for the offense. Such police officers shall also have power upon such roads and within such parks, parkways, and other reservations to execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law: *Provided*, That the power and authority herein granted shall not extend to military personnel for offenses committed on military reservations: *Provided further*, That the power and authority herein granted shall not limit or restrict the investigative jurisdiction of the Federal Bureau of Investigation.

18 U. S. C. §§ 576-576d.
Post, p. 868.

Military personnel.

Jurisdiction of FBI.

SEC. 2. The Secretary of the Interior, with the approval or concurrence of the head of the agency having jurisdiction or control of any road, park, parkway, or other Federal reservation, or his duly authorized representative, is hereby authorized to make all needful rules and regulations for the regulation of traffic, for the protection of persons, property, health, and morals, to prevent breaches of the peace, to suppress affrays and unlawful assemblies and to aid in the enforcement of any of the rules and regulations so promulgated. To any rule or regulation there may be attached a reasonable penalty for the violation thereof not exceeding, however, a fine of not more than $500, imprisonment for not exceeding six months, or both.

Rules and regulations.

Penalty.

SEC. 3. For the purposes of this Act, the environs of the District of Columbia are hereby defined as embracing Arlington and Fairfax Counties and the city of Alexandria in Virginia, and Prince Georges, Anne Arundel, and Montgomery Counties in Maryland.

Environs of D. C.

Approved March 17, 1948.

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[CHAPTER 138]

AN ACT

March 18, 1948
[H. R. 2293]
[Public Law 448]

To amend the Act entitled "An Act to regulate navigation on the Great Lakes and their connecting and tributary waters", approved February 8, 1895.

Navigation on Great Lakes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (a) of rule 3 in the first section of the Act entitled "An Act to regulate navigation on the Great Lakes and their connecting and tributary waters", approved February 8, 1895, as amended (U. S. C., 1940 edition, title 33, sec. 252 (a)), is amended to read as follows:

28 Stat. 645.

Forward light.

"(a) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible at a distance of at least five miles. Such light shall be at a greater height above the water than the side lights required by subdivisions (b) and (c)."

SEC. 2. Subdivision (e) of rule 3 in the first section of such Act (U. S. C., 1940 edition, title 33, sec. 252 (e)) is amended to read as follows:

28 Stat. 646.

Additional light for large vessels.

"(e) A steamer of over one hundred feet register length shall carry also, when under way, a bright white light so fixed as to throw the light all around the horizon, and of such a character as to be visible at a distance of at least three miles. Such light shall be placed in line with the keel at least fifteen feet higher than, and more than fifty feet abaft, the light mentioned in subdivision (a); or in lieu thereof two such lights of the same character and height as herein described placed not over thirty inches apart horizontally, one on either side of the keel, and so arranged that one or the other or both shall be visible from any angle of approach."

Supra.

28 Stat. 645.

SEC. 3. Rule 3 of such Act (U. S. C., 1940 edition, title 33, sec. 252) is amended by adding the following:

Additional light for small vessels.

"(f) A steam vessel not more than one hundred feet in length shall carry also a bright white light aft to show all around the horizon. Such light shall be placed in line with the keel higher than the light required by subdivision (a)."

Supra.

28 Stat. 648.

SEC. 4. Subdivision (e) of rule 14 in the first section of such Act (U. S. C., 1940 edition, title 33, sec. 271 (e)) is amended to read as follows:

Sound signals.

"(e) A vessel at anchor and a vessel aground in or near a channel or fairway shall at intervals of not more than two minutes ring the bell rapidly for from three to five seconds and, in addition, at intervals of not more than three minutes shall sound on the whistle or horn a signal of one short blast, two long blasts, and one short blast in quick succession."

SEC. 5. The first section of such Act is amended by adding at the end thereof the following:

Vessels over 65 feet in length, at anchor.

"RULE 30. (a) Between sunrise and sunset every vessel over sixty-five feet in length when at anchor shall carry forward, where it can best be seen, one black ball not less than two feet in diameter.

Vessels not under command.

"(b) A vessel over sixty-five feet in length which is not under command shall carry where they can best be seen and, if a steam vessel, in lieu of the white light required by rule 3 (a), two red lights in a

Supra.

vertical line one over the other not less than three feet apart, and of such a character as to be visible all around the horizon at a distance of at least two miles. By day such vessel shall carry in a vertical line one over the other not less than three feet apart, where they can best be seen, two black balls, each two feet in diameter. Such vessel, when not making way through the water, shall not carry the side lights required by rule 3 (b) and (c), but when making way shall carry them.

28 Stat. 646.
33 U. S. C. § 252 (b), (c).

"(c) A vessel aground over sixty-five feet in length shall carry by night the white light or lights prescribed for a vessel at anchor and in addition shall carry, where they can best be seen by approaching vessels, two red lights in a vertical line one over the other, not less than three feet apart, visible all around the horizon at a distance of at least two miles. By day such vessel shall carry in a vertical line one over the other not less than three feet apart, where they can best be seen, three black balls, each two feet in diameter."

Vessels aground.

Approved March 18, 1948.

[CHAPTER 139]

AN ACT

To add certain public and other lands to the Shasta National Forest, California.

March 19, 1948
[H. R. 3175]
[Public Law 449]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to any valid claim or entry now existing and hereafter legally maintained, and for the purposes of protecting, improving, and utilizing their forests, watershed, recreational and other resources, all lands of the United States within the following-described areas are hereby added to and made parts of the Shasta National Forest and hereafter shall be subject to all laws and regulations applicable to the national forests: Section 31, township 36 north, range 3 west; sections 7 to 36, inclusive, township 36 north, range 4 west; sections 11 to 16, inclusive, 20 to 29, inclusive, 33 to 36, inclusive, township 36 north, range 5 west; sections 5 to 9, inclusive, 16 to 21, inclusive, 29 to 32, inclusive, township 35 north, range 3 west; all township 35 north, range 4 west; sections 1 to 4, inclusive, 9 to 17, inclusive, 20 to 29, inclusive, 31, 33 to 36, inclusive, township 35 north, range 5 west; sections 35, 36, township 35 north, range 6 west; sections 26 to 34, inclusive, township 34 north, range 2 west; sections 5 to 11, inclusive, 13 to 36, inclusive, township 34 north, range 3 west; all township 34 north, range 4 west; all township 34 north, range 5 west; sections 1, 2, 3, 10 to 14, inclusive, 23 to 26, inclusive, 35, 36, township 34 north, range 6 west; sections 4 to 7, inclusive, township 33 north, range 2 west; sections 1 to 17, inclusive, township 33 north, range 3 west; sections 1 to 12, inclusive, township 33 north, range 4 west; sections 1 to 18, inclusive, township 33 north, range 5 west; sections 1 to 4, inclusive, 9 to 14, inclusive, township 33 north, range 6 west; all Mount Diablo base and meridian: *Provided*, That lands within the flow lines of reservoirs operated or maintained as parts of the Central Valley reclamation project or otherwise occupied and used for the operation of said project shall continue to be administered by the Bureau of Reclamation of the Department of the Interior.

Shasta National Forest, Calif.
Additional lands.

Administration of certain lands.

SEC. 2. The provisions of the Forest Exchange Act of March 20, 1922, as amended (42 Stat. 465; U. S. C., title 16, secs. 485, 486), are hereby made applicable to the areas described herein.

SEC. 3. This Act shall become effective July 1, 1948.

Effective date.

Approved March 19, 1948.

[CHAPTER 141]

AN ACT

March 24, 1948
[H. R. 4838]
[Public Law 450]

To extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States.

Alien fiancées or fiancés.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority conferred upon the Secretary of State and the Attorney General under the provisions of the Act approved June 29, 1946 (60 Stat. 339), shall be extended to December 31, 1948, midnight.

50 U. S. C. app. §§ 1851–1855; Supp. I, app. § 1851.

SEC. 2. Clause (b) of the proviso of the first section of the Act approved June 29, 1946 (60 Stat. 339), is hereby repealed.

50 U. S. C., Supp. I, app. § 1851 (b).

Effective date.

SEC. 3. This Act shall be regarded as having become effective from and after December 31, 1947.

Approved March 24, 1948.

[CHAPTER 142]

AN ACT

March 24, 1948
[S. 1733]
[Public Law 451]

To authorize payment to certain enrolled members of the Seminole Tribe of Indians under Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress).

Seminole Indians. Payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in making the payment to the enrolled members of the Seminole Tribe of Indians of Oklahoma or their heirs, authorized in section 1 of the Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress), the regulations promulgated by the Secretary of the Interior under date of October 14, 1942, shall be followed in ascertaining the heirs of the enrolled members entitled to share in the funds of said tribe as to those persons who died prior to the Act of December 24, 1942 (Public, Numbered 833, Seventy-seventh Congress), and payment shall be made accordingly.

56 Stat. 528.

56 Stat. 1080. 25 U. S. C. §§ 375a, 375b.

Approved March 24, 1948.

[CHAPTER 143]

AN ACT

March 24, 1948
[S. 1782]
[Public Law 452]

To provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the armed forces who have been disabled in line of duty for active field service.

Superintendents of national cemeteries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That superintendents of the national cemeteries shall be selected from meritorious and trustworthy members of the armed forces who have been honorably separated from the service of the United States, and who have been disabled in line of duty for active field service.

Repeal.

SEC. 2. Section 4874, Revised Statutes (U. S. C., title 24, sec. 275), is hereby repealed.

Approved March 24, 1948.

[CHAPTER 144]

JOINT RESOLUTION

March 24, 1948
[S. J. Res. 172]
[Public Law 453]

To authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948.

Canadian vessels. Transportation of iron ore.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by reason of the continued extraordinary requirements of the iron and steel industry for

Lake Superior iron ore, notwithstanding the provisions of section 27 of the Act of Congress approved June 5, 1920 (41 Stat. 999), as amended by Act of Congress approved April 11, 1935 (49 Stat. 154), and by Act of Congress approved July 2, 1935 (49 Stat. 442), or the provisions of any other Act of Congress or regulation, vessels of Canadian registry shall be permitted to transport iron ore between United States ports on the Great Lakes during the year 1948 or until such date prior to the end of said year as the Congress by concurrent resolution or the President by proclamation may designate.

46 U. S. C. § 883; Supp. I, § 883 note.

Approved March 24, 1948.

[CHAPTER 146]

AN ACT

March 25, 1948
[H. R. 2453]
[Public Law 464]

To provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the possibilities for increased utilization of the lignite resources of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the lignite-consuming region of North Dakota to conduct researches and investigations on the mining, preparation, and utilization of lignite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for lignite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving lignite coal resources for national defense and security; to the more efficient mining, preparation, and utilization of lignite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the lignite industry.

Lignite coal research laboratory, N. Dak.

SEC. 2. For the purpose of this Act the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

Acquisition of land.

Cooperation with other agencies.

SEC. 3. The Secretary, acting through the United States Bureau of Mines, shall make a report to Congress at the beginning of each regular session of the activities of, expenditures by, and donations to, the laboratory established under this Act.

Report to Congress.

SEC. 4. The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of this Act. The said committee shall be composed of representatives of lignite coal-mine owners, of representatives of lignite coal-mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

Advisory committee.

SEC. 5. In order to carry out the purposes of this Act there is hereby

Appropriation authorized.

authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) $750,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) $250,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence.

Approved March 25, 1948.

[CHAPTER 147]

AN ACT

March 25, 1948
[H. R. 3506]
[Public Law 455]

To provide for the acquisition of a site for a new Federal Building in Huntington, West Virginia, adjoining existing Federal buildings there, as an economy measure, before land values have increased as a result of improvements.

Huntington, W. Va.
Site for Federal building.
Post, p. 1033.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is authorized and directed to acquire, by purchase, condemnation, or otherwise, a plot of land approximately two hundred feet long and approximately ninety feet wide, together with all improvements thereon, situated at the southeast corner of Fifth Avenue and Eighth Street in the city of Huntington, West Virginia, for use as a site for the erection of a new Federal building. Such plot of land is more particularly described as follows:

Beginning at a point where the south line of Fifth Avenue intersects with the east line of Eighth Street; thence along the line of Eighth Street approximately two hundred feet to an alley; thence in an easterly direction and with the north line of said alley to a point; thence in a northerly direction and parallel with the line of Eighth Street approximately two hundred feet to a point in the south line of Fifth Avenue; thence in a westerly direction and with the south line of Fifth Avenue approximately ninety feet to the place of beginning.

Approved March 25, 1948.

[CHAPTER 148]

AN ACT

March 25, 1948
[H. R. 4836]
[Public Law 456]

To authorize the purchase of a new post-office site at Omaha, Nebraska.

Omaha, Nebr.
Post-office site.
Post, p. 1033.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Omaha, Nebraska, for the purpose of erecting thereon a building for the use and accommodation of the United States post office at Omaha.

Approved March 25, 1948.

[CHAPTER 149]

AN ACT

March 25, 1948
[H. R. 4967]
[Public Law 457]

To provide for the acquisition of a site and preparation of plans and specifications for a new postal building and for remodeling of the existing main post-office building in Portland, Oregon, and for other purposes.

Portland, Oreg.
Site and plans for postal building.
Post, p. 1033.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Portland, Oregon, and to prepare or cause to be prepared plans and specifications for a

new building to be located on such site and for the remodeling of the existing main post office all to provide additional postal facilities in said city. The cost of such plans and specifications and the acquisition of the site shall not exceed $300,000.

Approved March 25, 1948.

[CHAPTER 150]

AN ACT

March 25, 1948
[H. R. 5315]
[Public Law 458]

To ratify the administrative promotions of employees on military furlough from the field postal service, in certain cases, and for related purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if an employee in the field postal service was promoted, after September 15, 1940, and before January 1, 1948, to the position of special clerk or to any other position not then in an automatic grade, and the promotion was unauthorized by law only because the employee was then absent on military furlough, the promotion is hereby ratified.

Postal Service.
Promotions during military furlough.

SEC. 2. Such an employee is hereby relieved of all liability to refund to the United States any amounts paid to him as a result of the promotion; and in the audit and settlement of the accounts of any postmaster, or of any other designated disbursing officer of the Post Office Department or postal service, the amounts paid as a result of the promotion shall be considered to have been authorized. Any amounts heretofore credited to the employee or refunded by him to the United States on account of any overpayment made as a result of the promotion shall be repaid out of any money available for the payment of salaries of employees in the service in which he is employed.

Relief of liability.

Approved March 25, 1948.

[CHAPTER 151]

JOINT RESOLUTION

March 25, 1948
[H. J. Res. 320]
[Public Law 459]

To authorize the issuance of a special series of stamps commemorative of the one-hundredth anniversary of the creation of the Territory of Minnesota.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance on March 3, 1949, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one-hundredth anniversary of the creation of the Territory of Minnesota.

Minnesota, 100th anniversary.
Commemorative stamp.

Approved March 25, 1948.

[CHAPTER 157]

AN ACT

March 25, 1948
[S. 1174]
[Public Law 460]

To provide for inactive duty training pay for the Organized Reserve Corps, to provide uniform standards for inactive duty training pay for all Reserve components of the armed forces, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the National Defense Act, as amended, be further amended by striking out the words "the Officers Reserve Corps, the Organized Reserves, and the Enlisted Reserve Corps," and inserting in lieu thereof the words "and the Organized Reserve Corps".

Organized Reserve Corps, Army.
48 Stat. 153.
10 U. S. C. § 2.

SEC. 2. That section 37a of the National Defense Act of 1916, as amended, is amended by deleting therefrom the following sentence: "A Reserve officer shall not be entitled to pay and allowances except when on active duty."

41 Stat. 776.
10 U. S. C. § 361.

56 Stat. 367.
37 U. S. C. § 114; Supp. I, § 114 note.
Pay and allowances.

SEC. 3. That section 14 of the Pay Readjustment Act of 1942, as amended, be amended to read as follows:

"SEC. 14. RESERVE AND NATIONAL GUARD PERSONNEL.—(a) Officers, warrant officers, and enlisted personnel of the reserve components of any of the services mentioned in the title of this Act, when on active duty in the service of the United States, shall be entitled to receive the same pay and allowances as are authorized for persons of corresponding grade and length of service in the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service.

"(b) Officers, warrant officers, and enlisted personnel of the reserve components of any of the services mentioned in the title of this Act, when participating in full-time training or other full-time duty (provided for or authorized in the National Defense Act, as amended, or in the Naval Reserve Act of 1938, as amended, or in other provisions of law, including participation in exercises or performance of the duties provided for by sections 94, 97, and 99 of the National Defense Act, as amended) shall receive the same pay and allowances as are authorized for persons of corresponding grade and length of service in the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service: *Provided*, That they may be given additional training or other duty as provided for by law, without pay, as may be authorized by the head of the Department concerned, with their consent, and when such authorized training or other duty without pay is performed they may in the discretion of the head of the Department concerned, be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished with subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the head of the Department concerned.

39 Stat. 166.
10 U. S. C. § 2 *et seq.*
Ante, p. 87; *post*, pp. 89–91, 477, 643.
52 Stat. 1175.
34 U. S. C. §§ 853–857g; Supp. I, § 853a *et seq.*
Post, p. 368.
39 Stat. 206, 207.
32 U. S. C. §§ 63–65, 144–146.
Additional training without pay.

Computation of pay.

"(c) Under such regulations as the head of the Department concerned may prescribe, and to the extent provided for by law and by appropriations, officers, warrant officers, and enlisted personnel of the National Guard of the United States, Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, shall receive compensation at the rate of one-thirtieth of the monthly base pay including longevity pay, authorized for such persons when on active duty in the armed forces of the United States, for each regular period of instruction, or period of appropriate duty, at which they shall have been engaged for not less than two hours, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the head of the Department concerned: *Provided*, That personnel required to perform aerial flights, parachute jumping, glider flights, or submarine duty shall receive the increases in pay provided for by law for personnel in such status: *Provided further*, That for each of the several classes of organizations prescribed for the National Guard of the United States, the Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, the rules applicable to each of which services and classes within services may differ, the head of the Department concerned: (1) Shall prescribe minimum standards which must be met before an assembly for drill or other equivalent period of training, instruction, or duty or appropriate duties may be credited for pay purposes, which minimum standards may require the presence for duty of officers and enlisted personnel equal to or in excess of a minimum number or percentage of unit strength for a specified period of time with participation in a prescribed character of training; (2) shall prescribe the maximum number of assemblies, or periods of other equivalent training, instruction, or duty or appropriate duties, which may be counted for pay purposes in each fiscal year; (3) shall prescribe the maximum number of assemblies, or periods of other

Aerial flights, etc.

Rules and regulations.

equivalent training, instruction, or duty or appropriate duties which can be counted for pay purposes in lesser periods of time; and (4) shall prescribe the minimum number of assemblies or periods of other equivalent training, instruction, or duty or appropriate duties, which must be completed in stated periods of time before the personnel of organizations or units can qualify for pay: *And provided further*, That the provisions of this paragraph shall not apply when such persons are entitled to receive full pay and allowances as provided for in paragraphs (a) and (b) of this section.

Nonapplicability.

"(d) In addition to pay provided in paragraph (c) of this section, officers of the National Guard of the United States, Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, commanding organizations having administrative functions connected therewith shall, whether or not such officers belong to such organizations, receive not more than $240 a year for the faithful performance of such administrative functions under such regulations as the head of the Department concerned may prescribe; and for the purpose of determining how much shall be paid to such officers so performing such functions, the head of the Department concerned may, from time to time, divide them into classes and fix the amount payable to the officers in each class: *Provided*, That the provisions of this paragraph shall not apply when such persons are entitled to receive full pay and allowances as provided for in paragraphs (a) and (b) of this section.".

Certain commanding officers having administrative functions.

Nonapplicability.

SEC. 4. That Section 55a of the National Defense Act of 1916, as amended, be amended to read as follows:

41 Stat. 780.
10 U. S. C. § 422.

"SEC. 55a. ORGANIZED RESERVE CORPS—ORGANIZATION AND TRAINING.—The Organized Reserve Corps shall include the personnel and units of the Officers Reserve Corps, the Enlisted Reserve Corps, and the Organized Reserves. The Secretary of the Army shall prescribe all necessary and proper regulations for the recruiting, organization, government, administration, training, inspection, and mobilization of the Organized Reserve Corps, and shall detail such officers and enlisted personnel of the Regular Army and Organized Reserve Corps, and shall make available such material, uniforms, arms, supplies, equipment, and other facilities of the Army, or procured from funds appropriated for the purpose as he may deem necessary and advisable for the development, training, instruction, and administration of the Organized Reserve Corps and the care of Government property issued to the members and units of the Organized Reserve Corps. Any or all members of the Organized Reserve Corps may be formed into military organizations, which in turn may be sponsored by civilian organizations as affiliated units.

"Organized Reserve Corps units will be of three classes, varying in degree of organization, as follows:

Reserve Corps units.

"1. Those combat and service types organized with a full complement of officers and men: *Provided*, That there will be included in this category only those units which are considered necessary for prompt mobilization.

"2. Those combat and service types generally organized with a full complement of officers and an enlisted cadre.

"3. Those combat and service types generally organized with a full complement of officers only.

"Under such regulations as the Secretary of the Army may prescribe, personnel of the Organized Reserve Corps shall assemble for drill, training, instruction, or other duty and shall participate in encampments, maneuvers, or other exercises: *Provided*, That assemblies for such duty under such regulations for members of the Organized Reserve Corps assigned to fully organized units shall be on the same minimum basis as now or hereafter prescribed for the National Guard: *Provided further*, That other units of the Organized Reserve

Assemblies.

Corps may be assembled, under such regulations, for such duty; however, personnel of these units may not receive pay in any one fiscal year for a total number of regular periods of instruction, or periods of appropriate duty, at which they shall have been engaged for not less than two hours, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the Secretary of the Army in accordance with subsection (c), section 14, Pay Readjustment Act of 1942, as amended, in excess of 50 per centum of the number of such assemblies authorized for personnel assigned to similar positions in the National Guard: *Provided further*, That members of the Organized Reserve Corps not assigned to table of organization units may be required to perform duties as prescribed by such regulations and receive credit for regular periods of instruction or duty, for pay purposes, up to the same maximum as prescribed herein for members of units of the Organized Reserve Corps, other than fully organized type units: *And provided further*, That members of the Organized Reserve Corps classified in scientific or specialist categories, or members of the Organized Reserve Corps, whether or not assigned to a unit, who, under regulations prescribed by the Secretary of the Army, are designated for a mobilization day assignment, may be required to perform duties as prescribed by such regulations and receive credit for regular drill periods for pay purposes on the same minimum basis as prescribed herein for members of the Organized Reserve Corps in fully organized type units.

Ante, p. 88.

Members not assigned to a unit.

Scientific or specialist categories, etc.

"Under such regulations as the Secretary of the Army may prescribe, personnel of the Organized Reserve Corps may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending periods of instruction, or periods of appropriate duty, duly prescribed under the authority of the Secretary of the Army, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties, as may be prescribed by the Secretary of the Army.

Ante, p. 88.

"Members of the Organized Reserve Corps in receipt of pay for the performance of drills, or other equivalent training, instruction, or duty or appropriate duties, may be required to perform such active duty or training duty, not to exceed fifteen days annually, as may be prescribed by the Secretary of the Army: *Provided*, That they may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by direction of the Secretary of the Army: *Provided further*, That when authorized training or other duty without pay is performed by members of the Organized Reserve Corps they may in the discretion of the Secretary of the Army be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the head of the Department concerned.".

Annual requirement.

Additional training.

Transportation, etc., expenses.

SEC. 5. (a) That section 92 of the National Defense Act of 1916, as amended, be further amended by changing the period at the end of said section to a colon and adding the following: "*Provided further*, That members of the National Guard of the United States may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by direction of the Secretary of the Army: *And provided further*, That when authorized training or other duty without pay is performed by members of the National Guard of the United States they may in the discretion of the Secretary of the Army be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished subsistence and quarters in kind or commutation

39 Stat. 206.
32 U. S. C. § 62.

Additional training for National Guard.

Transportation, etc., expenses.

thereof at a rate to be fixed from time to time by the Secretary of the Army.".

(b) That the portion of section 109 of the National Defense Act, as amended, which precedes the final proviso of such section, be amended to read as follows:

39 Stat. 209. 32 U. S. C. § 143 note.

"SEC. 109. PAY FOR NATIONAL GUARD OFFICERS.—Under such regulations as the Secretary of the Army may prescribe, officers and warrant officers of the National Guard of the United States may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending regular periods of instruction, or periods of appropriate duty, duly prescribed under the authority of the Secretary of the Army, including drills performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties, as may be prescribed by the Secretary of the Army.".

Ante, p. 88.

(c) That the portion of section 110 of the National Defense Act, as amended, which precedes the first proviso of such section, be amended to read as follows:

39 Stat. 209. 32 U. S. C. § 154.

"SEC. 110. PAY FOR NATIONAL GUARD ENLISTED MEN.—Under such regulations as the Secretary of the Army may prescribe, enlisted men of the National Guard of the United States may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending regular periods of duty and instruction duly prescribed under the authority of the Secretary of the Army, including those performed on Sundays and holidays.".

Ante, p. 88.

SEC. 6. The provisions of this Act shall be applicable to the Department of the Air Force: *Provided*, That all references therein to the Secretary of the Army, the Department of the Army, the Regular Army, the National Guard and the National Guard of the United States, the Organized Reserve Corps, the Officers Reserve Corps, the Enlisted Reserve Corps, and the Organized Reserves, shall be construed for the purposes of this section as referring to the Secretary of the Air Force, the Department of the Air Force, the Regular Air Force, the Air National Guard, the Air Force Reserve, the officers section of the Air Force Reserve, the enlisted section of the Air Force Reserve, and personnel of the Organized Reserves transferred to the Department of the Air Force, respectively.

Applicability.

Approved March 25, 1948.

[CHAPTER 158]

AN ACT

March 27, 1948 [S. 468] [Public Law 461]

To amend the Act entitled "An Act to incorporate the Imperial Palace, Dramatic Order Knights of Khorassan", to increase the amount of property which the corporation may hold from $100,000 to $5,000,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to incorporate the Imperial Palace, Dramatic Order Knights of Khorassan", approved February 25, 1909 (35 Stat. 646), is amended to read as follows:

Imperial Palace, Dramatic Order Knights of Khorassan.

"SEC. 2. That the said corporation shall have power to take and hold real and personal estate not exceeding in value five million dollars, which shall not be divided among the members of the corporation, but shall descend to their successors for the promotion of the fraternal and benevolent purposes of said corporation."

Maximum property holdings.

Approved March 27, 1948.

[CHAPTER 159]

AN ACT

March 29, 1948
[S. 1990]
[Public Law 462]

To provide a means for the orderly continuation and completion of the Deer Creek and aqueduct divisions of the Provo River project, Utah.

Provo River project, Utah.
Deer Creek and aqueduct divisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide a means for the orderly continuation and completion of the Deer Creek and aqueduct divisions of the Provo River project, Utah, and for the recovery by the United States of the actual construction cost thereof, the Secretary of the Interior in proceeding with the construction, completion, and administration of said divisions heretofore authorized, subject to the execution of such contracts as the Secretary may deem necessary to maintain existing repayment contracts between the United States, the Provo River Water Users Association and the Metropolitan Water District of Salt Lake City consistent with the interim construction cost recovery plan herein provided, is authorized (a) to deliver water or make project works available therefor, as the case may be, on terms and at annual rates or other annual charges to be fixed by the Secretary from year to year, calculated to return to the United States (in addition to the cost of operation and maintenance) the actual cost in excess of existing repayment contract liability that may be incurred by the United States in completing said divisions of the Provo River project; and (b) to postpone the commencement of annual construction charge installments under existing repayment contracts: *Provided*, That any such postponement of annual construction charge installments shall in no event operate to delay the commencement of construction charges, as provided by existing repayment contracts, beyond the time when costs that may be incurred by the United States in excess of existing contract liability have been returned to the United States.

Commencement of construction charges.

Approved March 29, 1948.

[CHAPTER 160]

AN ACT

March 29, 1948
[H. R. 2502]
[Public Law 463]

To provide for the general welfare and advancement of the Klamath Indians in Oregon.

Klamath Welfare Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Klamath Welfare Act".

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed, from the capital reserve fund deposited in the Treasury of the United States to the credit of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (hereinafter referred to as the "Klamath Tribes"), said fund being established pursuant to the Act of August 28, 1937 (ch. 874, 50 Stat. 872), as augmented by the proceeds of the judgment fund of the Klamath Indians as provided in the Act of August 7, 1939 (ch. 552, 53 Stat. 1252), to credit the sum of $500 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon the date of the enactment of this Act. The share of each adult member of the credit so established shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

25 U. S. C. §§ 530–535.

25 U. S. C. §§ 541–543.

Purchase, etc., of land.

Purchase of land or interests in land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable

homes, including household equipment and furnishings; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, feed, seed, and grain; purchase or rehabilitation and repair of farming equipment, tools, trucks, tractors, machinery, and implements; and purchase of any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education and adult education, as will enable them to become self-supporting; and health, including dental work: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support: *Provided further*, That during minority the share of each minor Indian shall be available for expenditure only for his education and for health purposes, including dental work, except that in an emergency expenditure of a minor Indian's share may be made for any of the purposes specified in this Act. As herein used, the term "minor" shall include all members of the tribe who have not attained the age of twenty-one years, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *And provided further*, That each member of the Klamath Tribes honorably discharged from service to the United States in its armed forces shall, upon application to the Commissioner of Indian Affairs, be paid $200 in cash, free from the aforesaid restrictions and in addition to the $500 to be credited to such member as provided in section 2 of this Act.

Repayment of loans.

Maintenance of aged, etc.

Education and health purposes.

"Minor."

Death of member.

Honorably discharged veterans.

SEC. 3. That in no event shall any portion of the funds hereby directed to be credited and paid become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Klamath Tribe, except debts to the United States or to the tribe.

Prior debts.

Approved March 29, 1948.

[CHAPTER 161]

AN ACT

March 30, 1948
[S. 2182]
[Public Law 464]

To extend certain provisions of the Housing and Rent Act of 1947, to provide for the termination of controls on maximum rents in areas and on housing accommodations where conditions justifying such controls no longer exist, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Rent Act of 1948".

Housing and Rent Act of 1948.
Post, p. 216.

TITLE I—AMENDMENTS TO TITLE I OF HOUSING AND RENT ACT OF 1947

SEC. 2. Section 1 (b) of the Housing and Rent Act of 1947, as amended, is hereby repealed.

61 Stat. 193.
50 U. S. C., Supp. I, app. § 1881 (b).

SEC. 3. Section 4 of such Act, as amended, is amended by striking out "April 1, 1948" wherever such date appears therein and inserting in lieu thereof "April 1, 1949".

61 Stat. 195.
50 U. S. C., Supp. I, app. § 1884.
Ante, p. 37.

TITLE II—MAXIMUM RENTS

SEC. 201. Section 202 (c) of such Act, as amended, is amended by striking out paragraphs (2) and (3) thereof and inserting in lieu of such paragraphs the following:

61 Stat. 197.
50 U. S. C., Supp. I, app. § 1892 (c) (2) (3).

"(2) any motor court, or any part thereof; any trailer or trailer

space, or any part thereof; or any tourist home serving transient guests exclusively, or any part thereof; or

"(3) any housing accommodations (A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947, except that contracts for the rental of housing accommodations to veterans of World War II and their immediate families, the construction of which was assisted by allocations or priorities under Public Law 388, Seventy-ninth Congress, approved May 22, 1946, shall remain in full force and effect; or (B) which for any successive twenty-four month period during the period February 1, 1945, to the date of enactment of the Housing and Rent Act of 1948, both dates inclusive, were not rented (other than to members of the immediate family of the landlord) as housing accommodations; or (C) the construction of which was completed on or after February 1, 1945, and prior to February 1, 1947, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented (other than to members of the immediate family of the landlord) as housing accommodations; or

60 Stat. 207.
50 U. S. C. app. §§ 1821–1833; Supp. I, app. §§ 1821–1832.

"(4) nonhousekeeping, furnished housing accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if (A) no more than two paying tenants, not members of the landlord's immediate family, live in such dwelling unit, and (B) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family."

61 Stat. 197.
50 U. S. C., Supp. I, app. § 1894 (a).
Ante, p. 37.

SEC. 202. (a) Section 204 (a) of such Act, as amended, is amended by striking out "March 31, 1948" and inserting in lieu thereof "March 31, 1949".

61 Stat. 198.
50 U. S. C., Supp. I, app. § 1894 (b).

(b) Section 204 (b) of such Act, as amended, is amended to read as follows:

Maximum rents.

"(b) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, during the period beginning on the effective date of this title and ending on the date this title ceases to be in effect, no person shall demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations greater than the maximum rent established under the authority of the Emergency Price Control Act of 1942, as amended, and in effect with respect thereto on June 30, 1947: *Provided, however*, That the Housing Expediter shall, by regulation or order, make such individual and general adjustments in such maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations or any class of housing accommodations within any such area or any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title. In the making of adjustments to remove hardships due weight shall be given to the question as to whether or not the landlord is suffering a loss in the operation of the housing accommodations.

56 Stat. 23.
50 U. S. C. app. §§ 901–922, 923–946; Supp. I, § 901 *et seq.*

Adjustments.

Lease entered into on or before Dec. 31, 1947.

"(2) In any case in which a landlord and tenant, on or before December 31, 1947, in accordance with the provisions of this subsection as then in effect, voluntarily entered into a valid written lease in good faith with respect to any housing accommodations, such housing accommodations shall not be subject to any maximum rent established or maintained under the provisions of this title unless such lease is hereafter terminated or expires before March 31, 1949, in which case the maximum rent for such housing accommodations shall, through March 31, 1949, be not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948: *Provided*, That the landlord and a tenant (including any new tenant) may enter into a new voluntary lease subject to the conditions, specified

New voluntary lease.

in paragraph (3) of this subsection, applicable with respect to landlords and tenants who have not heretofore entered into voluntary leases, except that no maximum rent need be in effect on the date of execution of such new lease.

"(3) In any case in which a landlord and tenant (including any new tenant) on or before December 31, 1948, voluntarily enter into a valid written lease in good faith (at any rental agreed upon in the lease, but not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948) with respect to any housing accommodations for which a maximum rent is in effect under this section, and such lease takes effect on or after the effective date of the Housing and Rent Act of 1948 and expires on or after December 31, 1949, and if a true and duly executed copy of such lease is filed, within fifteen days after the date of execution of such lease, with the Housing Expediter, such housing accommodations shall not thereafter be subject to any maximum rent established or maintained under the provisions of this title unless such lease is terminated before March 31, 1949. If any such lease is so terminated the maximum rent (unless a subsequent lease entered into under the provisions of this paragraph is in force) shall be not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948.

Lease entered into on or before Dec. 31, 1948.

Termination.

"(4) A landlord shall file a report with the Housing Expediter of any termination of a lease entered into under this subsection prior to the expiration date of the lease, including leases entered into under this subsection prior to the date of enactment of the Housing and Rent Act of 1948. Such report shall be filed within fifteen days after such termination or fifteen days after the effective date of such Act, whichever is the later date."

Filing of report.

(c) Section 204 (c) of such Act, as amended, is amended to read as follows:

61 Stat. 198.
50 U. S. C., Supp. I, app. § 1894 (c).

"(c) The Housing Expediter is hereby authorized and directed to remove any or all maximum rents before this title ceases to be in effect, in any defense-rental area or portion thereof or with respect to any class of housing accommodations in any such area or portion thereof, if in his judgment the need for continuing maximum rents in such area or portion thereof or with respect to such class of housing accommodations no longer exist, due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met. The Housing Expediter shall from time to time make surveys with a view to carrying out the purpose of this subsection to decontrol housing accommodations at the earliest practicable time."

Removal of maximum rents in defense-rental area.

Surveys.

(d) Section 204 (e) of such Act, as amended, is amended to read as follows:

61 Stat. 198.
50 U. S. C., Supp. I, app. § 1894 (e).

"(e) (1) The Housing Expediter is authorized and directed to create in each defense-rental area, or such portion thereof as he may designate, a local advisory board, each such board to consist of not less than five members who are citizens of the area and who, insofar as practicable, as a group are representative of the affected interests in the area, to be appointed by the Housing Expediter, from recommendations made by the respective Governors: *Provided*, That in any case where the Governor has made no recommendations for original appointments to local boards or appointments to fill vacancies, within thirty days after request therefor (subsequent to the date of enactment of the Housing and Rent Act of 1948) from the Housing Expediter, the Housing Expediter shall without such recommendations appoint the original members of such boards or such members as may

Local advisory board.

be required to fill vacancies. Nothing in the foregoing provisions shall require the reappointment of present members of local advisory boards, but any change in the membership of any local advisory board necessitated by this provision shall be effectuated as promptly as may be practicable. Each such board shall have sufficient members to enable it promptly to consider individual adjustment cases coming before it on which the board shall make recommendations to the officials administering this title within its area; and before recommending any such adjustment the board shall give notice to the parties and shall hold a hearing at the request of either party. Any local board may make such recommendations to the Housing Expediter as it deems advisable with respect to the following matters:

Removal of maximum rents.

"(A) Removal of any or all maximum rents in the area, or any portion thereof, over which the local board has jurisdiction, or with respect to any class of housing accommodations within such area or any portion thereof, if in the judgment of the local board the need for continuing maximum rents in such area or portion thereof or with respect to such class of housing accommodations no longer exists, due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met; and

Adjustments.

"(B) Adjustments, other than individual adjustments, in maximum rents in such area or any portion thereof or with respect to any class of housing accommodations within such area or any portion thereof, deemed by the local board to be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title; and

Hardship cases.

"(C) Operations generally of the local rent office with particular reference to hardship cases.

Office space, etc.

"(2) The Housing Expediter shall furnish the local boards suitable office space and stenographic assistance and shall make available to such boards any records and other information in the possession of the Housing Expediter with respect to the establishment and maintenance of maximum rents and housing accommodations in the respective defense-rental areas which may be requested by such boards.

Approval of recommendations.

"(3) Upon receipt of any recommendation from a local board, the Housing Expediter shall promptly notify the local board, in writing, of the date of his receipt of such recommendation. Except as provided hereinafter in this subsection, within thirty days after receipt of any recommendation of a local board such recommendation shall be approved or disapproved or the local board shall be notified in writing of the reasons why final action cannot be taken in thirty days. Any recommendation of a local board appropriately substantiated and in accordance with applicable law and regulations shall be approved and appropriate action shall promptly be taken to carry such recommendation into effect.

Supra.

"(4) For the purposes of paragraph (3) any recommendation of a local board as to a matter referred to in paragraph (1) (A) or (B) shall be deemed to be appropriately substantiated and in accordance with applicable law and regulations, and shall be carried into effect as hereinafter provided—

Effecting of recommendations.

"(A) if the local board held a public hearing on such matter, at which interested persons (including representatives of the State and of political subdivisions thereof) were given a reasonable opportunity to be heard, by interpleader or otherwise, with right to be represented by counsel;

"(B) if notice of the date, time, place, and purpose of such hearing was given (i) in writing to the Governor of the State not less than fifteen days prior to such date, and (ii) by publication in a newspaper of general circulation in the area over which the

local board has jurisdiction at least fifteen days prior to such date, and a second notice was given by publication in such a newspaper at least five days prior to such date;

"(C) if a copy of the local board's recommendation was filed with the Governor of the State within five days after such recommendation was mailed to the Housing Expediter;

"(D) if a record is made of the evidence adduced at the public hearing held by the local board, and the local board certifies and transmits to the Housing Expediter, with such recommendation, a transcript of such record, or of those parts of such record, upon which its recommendation is based and a written statement of its findings made upon the basis of such record; and

"(E) if the record so certified and transmitted to the Housing Expediter contains adequate and substantial evidence to support the findings and recommendation of the local board.

Filing of recommendation in Emergency Court of Appeals.

If the Housing Expediter does not approve such recommendation within thirty days after the date of its receipt by him, he shall, within five days after the expiration of such thirty-day period, file such recommendation in the Emergency Court of Appeals, together with the record and statement of findings of the local board and such statement as the Housing Expediter may desire to make as to his views on the matter. The statement of the Housing Expediter may be accompanied by such supporting information as the Housing Expediter deems appropriate. Thereupon the Emergency Court of Appeals shall have jurisdiction to enter, within thirty days after the date of its receipt of such recommendation from the Housing Expediter (or within such additional period of not more than thirty days as the court may find necessary in exceptional cases), an order approving or disapproving the recommendation of the local board. The recommendation, record, and statement of findings of the local board, together with the statement and supporting information filed by the Housing Expediter, shall constitute the record before the court. If the court determines that the recommendation is not in accordance with law, or that the evidence in the record before the court, including such additional evidence as may be adduced before the court, is not of sufficient weight to justify such recommendation, the court shall enter an order disapproving such recommendation; otherwise it shall enter an order approving such recommendation. The judgment and decree of the court shall be final. The powers heretofore granted by law to the Emergency Court of Appeals are hereby continued for purposes of exercise of the jurisdiction granted by this subsection. The court shall prescribe rules governing its procedure in such manner as to expedite the determination of cases of which it has jurisdiction under this paragraph. The Housing Expediter, the local board, and representatives of the State or States involved, shall be granted, to the extent determined by the court, an opportunity to be heard, by interpleader or otherwise, with right to be represented by counsel.

Finality of decision.

"(5) Any recommendation to which paragraph (4) applies, if an order of disapproval thereof has not been entered by the Emergency Court of Appeals within the time prescribed in such paragraph, shall be carried out by the Housing Expediter—

"(A) if it is with respect to a matter referred to in paragraph (1) (A), so that the decontrol is effected, retroactively if necessary, on the date recommended by the local board, but not before sixty days after the date of the receipt of such recommendation by the Housing Expediter: *Provided*, That during the period of ninety days beginning with the date on which such decontrol is effected, the provisions of section 209 of this title shall be in effect as though such decontrol had not been effected; and

Ante, p. 96.

61 Stat. 200.
50 U. S. C., Supp. I, app. § 1899.
Post, pp. 98, 99.

"(B) if it is with respect to a matter referred to in paragraph

Ante, p. 96.

(1) (B), so that the adjustment in maximum rents is effected, retroactively if necessary, on the date recommended by the local board, but not before thirty days after the receipt of the recommendation by the Housing Expediter.

Attorneys.

"(6) In addition to employees furnished under paragraph (2), local boards are hereby authorized to employ such attorneys as may be necessary for purposes of hearings and court proceedings under this subsection; and may pay the necessary costs of reporting hearings, but the cost of stenographic services in reporting such hearings shall not be in excess of twenty-five cents per hundred words, with one additional copy at a cost of not exceeding five cents per hundred words. Attorneys shall be paid not to exceed $25 per day when actually employed, and shall be allowed necessary traveling and subsistence expenses.

Cooperation of States, etc.

"(7) Immediately upon the enactment of the Housing and Rent Act of 1948 the Housing Expediter shall communicate with the Governors of the several States advising them of the provisions of this subsection as amended and of the number and location of defense-rental areas in their respective States and the areas or portions thereof in which boards are to be appointed therein, and requesting the cooperation of the Governors of the several States in carrying out such provisions."

61 Stat. 199.
50 U. S. C., Supp. I, app. § 1894 (f).
Ante, p. 37.

(e) Section 204 (f) of such Act, as amended, is amended to read as follows:

"(f) The provisions of this title shall cease to be in effect at the close of March 31, 1949."

(f) Section 204 of such Act, as amended, is amended by adding at the end thereof a new subsection as follows:

Security deposit.

"(g) Nothing in this title shall be interpreted or construed to authorize the Housing Expediter to prohibit, in the case of any rental agreement hereafter entered into, the demand, collection, or retention of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance, if the demand, collection, or retention of such a security deposit was an accepted rental practice, prior to January 30, 1942, in the area in which the premises are located, or was customarily required before that date by the same landlord in the renting of the particular housing accommodations involved, and if the tenant is allowed, under the terms of the rental agreement, to occupy the premises for the period covered by the security deposit without further payment of rent."

61 Stat. 199.
50 U. S. C., Supp. I, app. § 1896.

SEC. 203. Section 206 of such Act, as amended, is amended to read as follows:

Violations.

"SEC. 206. (a) It shall be unlawful for any person to offer, solicit, demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under section 204 or otherwise to do or omit to do any act in violation of any provision of this title.

61 Stat. 197.
50 U. S. C., Supp. I, app. § 1894.
Ante, pp. 37, 94, 95; *supra*.

"(b) Whenever in the judgment of the Housing Expediter any person has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this title, he may make application to any Federal, State, or Territorial court of competent jurisdiction, for an order enjoining such act or practice, or for an order enforcing compliance with such provision, and upon a showing by the Housing Expediter that such person has engaged or is about to engage in any such act or practice a permanent or temporary injunction, restraining order, or other order shall be granted without bond."

61 Stat. 200.
50 U. S. C., Supp. I, app. § 1899 (a) (2).

SEC. 204. (a) Section 209 (a) (2) of such Act, as amended, is amended to read as follows:

"(2) the landlord seeks in good faith to recover possession of such housing accommodations for his immediate and personal use and occupancy as housing accommodations, or for the immediate and personal use and occupancy as housing accommodations by a member or members of his immediate family, or, in the case of a landlord which is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, or the immediate and personal use and occupancy as housing accommodations of members of its staff: *Provided*, That in the case of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association no action or proceeding under this paragraph or paragraph (3) to recover possession of any such housing accommodations shall be maintained unless stock in the cooperative corporation or association has been purchased by persons who are then stockholder tenants in occupancy of at least 65 per centum of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises; but this proviso shall not apply where such corporation or association acquires or leases such structure or premises after the effective date of the Housing and Rent Act of 1948 pursuant to a contract entered into prior to such date;".

Recovery by landlord for personal use, etc.

53 Stat. 33.
26 U. S. C. § 101 (6).

Cooperatively owned or leased housing.

(b) Section 209 (a) (4) of such Act, as amended, is amended to read as follows:

61 Stat. 200.
50 U. S. C., Supp. I, app. § 1899 (a) (4).

"(4) the landlord seeks in good faith to recover possession of such housing accommodations (A) for the immediate purpose of substantially altering or remodeling the same for continued use as housing accommodations, or for the immediate purpose of conversion into additional housing accommodations, and the altering, remodeling, or conversion cannot practically be done with the tenant in occupancy, and the landlord has obtained such approval as may be required by Federal, State, or local law for the alterations, remodeling, or any conversion planned, or (B) for the immediate purpose of demolishing such housing accommodations;".

Alteration, remodeling, etc.

(c) Section 209 (a) (5) of such Act, as amended, is hereby repealed.

61 Stat. 201.
50 U. S. C., Supp. I, app. § 1899 (a) (5).

(d) Section 209 (a) of such Act, as amended, is amended by adding after paragraph (4) thereof two new paragraphs to read as follows:

"(5) the landlord seeks in good faith to recover possession of such housing accommodations for the immediate purpose of withdrawing such housing accommodations from the rental market, and such housing accommodations shall not thereafter be offered for rent as such; or

Withdrawal from rental market.

"(6) the housing accommodations have been acquired by a State or any political subdivision thereof for the purpose of making a public improvement and are rented temporarily pending the construction of such improvement."

Temporary rental by State, etc.

(e) Section 209 of such Act, as amended, is amended by adding at the end thereof the following new subsection:

61 Stat. 200.
50 U. S. C., Supp. I, app. § 1899.

"(c) No tenant shall be obliged to surrender possession of any housing accommodations pursuant to the provisions of paragraph (2), (3), (4), (5), or (6) of subsection (a) until the expiration of at least sixty days after written notice from the landlord that he desires to recover possession of such housing accommodations for one of the purposes specified in such paragraphs."

Sixty days' notice.

TITLE III—MISCELLANEOUS

SEC. 301. Section 2 (a) of the Administrative Procedure Act, as amended, is amended by inserting after "Housing and Rent Act of 1947" the following: ", as amended".

60 Stat. 237.
5 U. S. C., Supp. I, § 1001 (a).

SEC. 302. Nothing in this Act or in the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

61 Stat. 193.
50 U. S. C., Supp. I, app. §§ 1881–1884, 1891–1902.

SEC. 303. Nothing in this Act shall be construed to impose or authorize the imposition of maximum rents upon any housing accommodations in any defense-rental area or portion thereof, or upon housing accommodations of a class, in the case of which maximum rents have been removed by administrative action in accordance with the provisions of the Housing and Rent Act of 1947; and nothing in this Act shall be construed to affect any adjustment in maximum rent made in accordance with the Housing and Rent Act of 1947.

61 Stat. 193.
50 U. S. C., Supp. I, app. §§ 1881–1884, 1891–1902.

SEC. 304. Section 2 of Public Law 301, Eightieth Congress, approved July 31, 1947 (relating to eviction of tenants from publicly operated housing accommodations), as amended, is hereby amended by striking out "April 1, 1948" and inserting in lieu thereof "April 1, 1949".

61 Stat. 705.
42 U. S. C., Supp. I, § 1413a.
Ante, p. 37.

Separability of provisions.

SEC. 305. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

Effective date.

SEC. 306. This Act shall become effective on the first day of the first calendar month following the month in which it is enacted.

Approved March 30, 1948.

[CHAPTER 162]

AN ACT

March 30, 1948
[H. R. 1809]
[Public Law 465]

To facilitate the use and occupancy of national-forest lands, and for other purposes.

National-forest lands, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, in conformity with regulations prescribed by him, may permit the use and occupancy of national-forest lands in Alaska for purposes of residence, recreation, public convenience, education, industry, agriculture, and commerce, not incompatible with the best use and management of the national forests, for such periods as may be warranted but not exceeding thirty years and of such areas as may be necessary but not exceeding eighty acres, and after such permits have been issued and so long as they continue in full force and effect the lands therein described shall not be subject to location, entry, or appropriation, under the public land laws or mining laws, or to disposition under the mineral leasing laws: *Provided*, That nothing herein contained shall prevent the said Secretary from canceling, revoking, or otherwise terminating a permit so issued upon proof of a breach of its terms and conditions or for other just cause.

Approved March 30, 1948.

[CHAPTER 163]

AN ACT

March 30, 1948
[H. R. 5856]
[Public Law 466]

To extend for a temporary period the provisions of the District of Columbia Emergency Rent Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45–1601), is hereby amended by striking out "March 31, 1948" and inserting in lieu thereof "April 30, 1948".

55 Stat. 788; 61 Stat. 713.
D. C. Code, Supp. VI, § 45–1601.
Post, p. 205.

Approved March 30, 1948.

[CHAPTER 164]

AN ACT

March 31, 1948
[S. 203]
[Public Law 467]

To increase the equipment maintenance of rural carriers 1 cent per mile per day traveled by each rural carrier for a period of two years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each carrier in the rural mail delivery service shall be paid for equipment maintenance a sum equal to 1 cent per mile per day for each mile or major fraction of a mile scheduled in addition to the 6 cents per mile per day for each mile or major fraction of a mile scheduled as now provided by law. Payments for the additional equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

Rural mail carriers.
Equipment maintenance.
Post, p. 1261.

SEC. 2. There are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

SEC. 3. This Act shall take effect on the first of the month following the date of its enactment and shall terminate two years from the beginning date or such earlier date as the Congress may by concurrent resolution prescribe.

Effective date.

Approved March 31, 1948.

[CHAPTER 165]

AN ACT

March 31, 1948
[S. 2361]
[Public Law 468]

To provide for a temporary extension of the National Housing Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first proviso of section 603 (a) of the National Housing Act, as amended, is amended to read as follows: "*Provided*, That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed $5,350,000,000".

National Housing Act, amendment.
55 Stat. 56.
12 U. S. C., Supp. I, § 1738 (a).
Post, p. 1268.

(b) Section 603 (a) of such Act, as amended, is amended by striking out "March 31, 1948" in each place where it appears and inserting in lieu thereof "April 30, 1948".

(c) Section 603 (b) (2) of such Act, as amended, is amended by striking out "necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve)" and inserting in lieu thereof "value (as of the date the mortgage is accepted for insurance), except that as to applications received by the Administrator on or before March 31, 1948, the mortgage may involve a principal obligation in an amount not to exceed 90 per centum of the Administrator's estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve);".

60 Stat. 213.
12 U. S. C. § 1738 (b) (2).

(d) Section 604 (b) of such Act, as amended, is amended by striking out "necessary current cost" and inserting in lieu thereof "value".

55 Stat. 59; 60 Stat. 213.
12 U.S.C. § 1739 (b).

Approved March 31, 1948.

[CHAPTER 166]

AN ACT

March 31, 1948
[H. R. 5314]
[Public Law 469]

To strengthen national security and the common defense by providing for the maintenance of an adequate domestic rubber-producing industry, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rubber Act of 1948".

Rubber Act of 1948.

DECLARATION OF POLICY

SEC. 2. It is the policy of the United States that there shall be maintained at all times in the interest of the national security and common defense, in addition to stock piles of natural rubber which are to be acquired, rotated, and retained pursuant to the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress, approved July 23, 1946), a technologically advanced and rapidly expandible rubber-producing industry in the United States of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of synthetic rubber to meet the essential civilian, military, and naval needs of the country. It is further declared to be the policy of the Congress that the security interests of the United States can and will best be served by the development within the United States of a free, competitive synthetic-rubber industry. In order to strengthen national security through a sound industry it is essential that Government ownership of production facilities, Government production of synthetic rubber, regulations requiring mandatory use of synthetic rubber, and patent pooling be ended and terminated whenever consistent with national security, as provided in this Act.

60 Stat. 596.
50 U. S. C. §§ 98-98h, app. § 1623 (b); Supp. I, § 98 *note*.

AUTHORITY TO EXERCISE CERTAIN CONTROLS OVER NATURAL RUBBER AND SYNTHETIC RUBBER AND PRODUCTS CONTAINING NATURAL AND SYNTHETIC RUBBER

SEC. 3. To effectuate the policies set forth in section 2 of this Act, the President is authorized to exercise allocation, specification, and inventory controls of natural rubber and synthetic rubber, and specification controls of products containing natural rubber and synthetic rubber, notwithstanding any changes in the supply or estimated supply of natural rubber or synthetic rubber; and he shall exercise such controls by issuing such regulations as are required to insure (a) the consumption in the United States of general-purpose synthetic rubber in a specified percentage of the combined total estimated annual consumption of natural rubber and general-purpose synthetic rubber consumed within the United States, and (b) the consumption in the United States of any or all types of special-purpose synthetic rubber in specified percentages of the combined total estimated annual consumption of natural rubber, general-purpose synthetic rubber, and special-purpose synthetic rubber consumed within the United States. Such percentages shall be established so as to assure the production and consumption of general-purpose synthetic rubber and special-purpose synthetic rubber in quantities determined by the President to be necessary to carry out the policy of section 2 of this Act, and the provisions of Public Law 520, Seventy-ninth Congress, approved July 23, 1946: *Provided*, That the minimum percentages established by the President shall result in a total annual tonnage consumption of synthetic rubber of at least the amounts specified in section 5 (d) of this Act, and that any mandatory consumption in excess of the quantities specified in section 5 (d) of this Act shall not be more than is deemed by the President to be necessary in the interest of national security and the common defense.

60 Stat. 596.
50 U. S. C. §§ 98-98h, app. § 1623 (b); Supp. I, § 98 note.
Minimum percentages.

IMPORTATION AND EXPORTATION

SEC. 4. (a) The President may impose such import restrictions on finished and semifinished rubber products as he deems necessary to assure equality with like or similar products produced within the United States in accordance with regulations issued under this Act.

(b) The President may exempt from the regulations issued under

this Act finished and semifinished rubber products manufactured in the United States exclusively for export outside the United States.

DOMESTIC RUBBER-PRODUCING CAPACITY

SEC. 5. (a) There shall be maintained at all times within the United States rubber-producing facilities having a rated production capacity of not less than six hundred thousand long tons per annum of general-purpose synthetic rubber and not less than sixty-five thousand long tons per annum of special-purpose synthetic rubber.

Pneumatic inner tubes.

(b) Of the sixty-five-thousand-long-ton rated production capacity for special-purpose synthetic rubber, specified in section 5 (a) of this Act, at least forty-five thousand long tons shall be of a type suitable for use in pneumatic inner tubes.

(c) The synthetic rubber used to satisfy the mandatory consumption provided in section 3 of this Act shall be produced by the Government or for the Government account, or purchased from others for resale by the Government or for the Government account.

(d) Facilities in operation by the Government or private persons shall produce annually not less than one-third of the rated production capacities specified in section 5 (a) and (b) of this Act.

(e) The facilities to be maintained in operation by the Government and those to be maintained in adequate stand-by condition shall be determined from time to time by the President.

Butadiene.

(f) At least one facility for making butadiene from alcohol shall be maintained in operation or in adequate stand-by condition.

RESEARCH AND DEVELOPMENT

SEC. 6. (a) To effectuate further the policies set forth in section 2 of this Act with respect to a technologically advanced domestic rubber-producing industry, continuous and extensive research by private parties and the Government is essential. The Government is hereby authorized to undertake research in rubber and allied fields and the powers, functions, duties, and authority of the Government to undertake research and development in rubber and allied fields shall be exercised and performed by such departments, agencies, officers, Government corporations, or instrumentalities of the United States as the President may designate, whether or not existing at the date of enactment of this Act.

Cost.

(b) The cost of undertaking and maintaining the research and development authorized in section 6 (a) of this Act may be paid from such sums as the Congress, from time to time, may appropriate to carry out the provisions of this Act.

OPERATION OF RUBBER-PRODUCING FACILITIES BY THE UNITED STATES GOVERNMENT

Exercise of authority.

SEC. 7. (a) The powers, functions, duties, and authority to produce and sell synthetic rubber conferred in section 7 (b) of this Act shall be exercised and performed by such department, agency, officer, Government corporation, or instrumentality of the United States as the President may designate, whether or not existing at the date of enactment of this Act.

(b) The department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7 (a) of this Act shall have the powers, functions, duties, and authority to produce and sell synthetic rubber, including the component materials thereof, in amounts sufficient to assure the production of synthetic rubber as required by the President in section 3 of this Act: *Provided*, That so far as practicable the President shall

Voluntary usage.

authorize such production of synthetic rubber, including the component materials thereof, as may be necessary to satisfy voluntary usage of synthetic rubber, including the component materials thereof.

Related powers.

(c) The aforesaid powers, functions, duties, and authority to produce and sell include all power and authority in such department, agency, officer, Government corporation, or instrumentality of the United States to do all things necessary and proper in connection with and related to such production and sale, including but not limited to the power and authority to make repairs, replacements, alterations, improvements, or betterments to the rubber-producing facilities owned by the Government or in connection with the operation thereof and to make capital expenditures as may be necessary for the efficient and proper operation and maintenance of the rubber-producing facilities owned by the Government and performance of said powers, functions, duties, and authority.

Capital expenditures.

(d) Notwithstanding the provisions of this or any other Act, the aforesaid powers, functions, duties, and authority to produce and sell include the power and authority in such department, agency, officer, Government corporation, or instrumentality of the United States to (1) lease for operation for Government account all or any part of the Government-owned rubber-producing facilities in connection with the performance of said powers, functions, duties, and authority to produce and sell; (2) lease, for a period not extending beyond the termination date of this Act, Government-owned rubber-producing facilities for private purposes if such lease contains adequate provisions for the recapture thereof for the purposes set forth in section 7 (b) of this Act and if such lease provides that any synthetic rubber or component material as may be produced by the leased facilities shall not be used to satisfy mandatory requirements established by section 3; (3) grant permanent easements or licenses for private purposes in, on, or over land comprising part of the Government-owned rubber-producing facilities if such grant provides that such easement or license shall not interfere with the use at any time of the rubber-producing facilities involved; and (4) sell or otherwise dispose of obsolete or other property not necessary for the production of the rated capacity of the particular plant to which such property is charged.

Leases.

Permanent easements or licenses.

Disposal of property.

STAND-BY FACILITIES

SEC. 8. (a) To effectuate further the policies set forth in section 2 of this Act, the President is authorized to place in adequate stand-by condition such rubber-producing facilities as he shall determine necessary to maintain the continued existence of rubber-producing facilities capable of producing the tonnage of synthetic rubber required by section 5 (a) of this Act.

(b) Rubber-producing facilities placed in stand-by condition by the President pursuant to section 8 (a) of this Act may be maintained by such department, agency, officer, Government corporation, or instrumentality of the United States, whether or not existing on the date of enactment of this Act, as the President may designate: *Provided*, That nothing contained in section 8 (b) of this Act shall preclude such department, agency, officer, Government corporation, or instrumentality of the United States from entering into contracts with private persons for the maintenance of stand-by facilities: *Provided further*, That the cost of placing facilities in stand-by condition, maintaining such facilities in adequate stand-by condition, and, when necessary, reactivating such facilities, may be paid from such sums as the Congress, from time to time, may appropriate to carry out the provisions of this Act.

Contracts for stand-by facilities.

Maintenance costs.

DISPOSAL OF GOVERNMENT-OWNED RUBBER-PRODUCING FACILITIES

SEC. 9. (a) The department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7 (a) of this Act shall undertake immediate study, conducting such hearings as may be necessary, in order to determine and formulate a program for disposal to private industry by sale or lease of the Government-owned rubber-producing facilities other than those authorized to be disposed of pursuant to section 9 (b) of this Act. A report with respect to the development of such a disposal program shall be made to the President and to Congress not later than April 1, 1949. On or before January 15, 1950, the President, after consultation with the National Security Resources Board, shall recommend to the Congress legislation with respect to the disposal of the Government-owned rubber-producing facilities other than those authorized to be sold, leased, or otherwise disposed of under the provisions of section 9 (b) of this Act, together with such other recommendations as he deems desirable and appropriate: *Provided*, That the Government shall maintain the ownership of a rated rubber-producing capacity of six hundred thousand long tons of general-purpose rubber and a rated rubber-producing capacity of sixty-five thousand long tons of special-purpose rubber until a program is formulated and adopted for the sale or lease of such facilities as provided in this section.

Reports.

Recommendation of legislation.

Government ownership.

(b) Notwithstanding the provisions of this or any other Act, the department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7 (a) of this Act may, after consultation with the National Security Resources Board, sell, lease, or otherwise dispose of to private persons any rubber-producing facility, including such facilities as have been declared surplus pursuant to the Surplus Property Act of 1944, as amended, not required to fulfill the capacity set forth in section 5 (a) of this Act upon such terms and conditions as it may determine providing that such sale or lease shall be on the condition that any synthetic rubber or component materials produced in such facility shall not be used to satisfy the mandatory requirements established by section 3 of this Act.

Sale of surplus facilities.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*
Post, pp. 350, 1103.

ADMINISTRATION

SEC. 10. (a) The President may issue such rules and regulations as he deems necessary and appropriate to carry out the provisions of this Act.

Rules and regulations.

(b) The President may exercise any or all of the powers, authority, and discretion conferred upon him by this Act, including but not limited to the powers and authority conferred in section 12 of this Act, through such departments, agencies, officers, Government corporations, or instrumentalities of the United States, whether or not existing at the date of the enactment of this Act, as he may direct.

Exercise of authority.

(c) The President, insofar as practical, shall consolidate all of the powers, functions, and authority contained in this Act in one department, agency, officer, Government corporation, or instrumentality of the United States, whether or not existing at the date of enactment of this Act. The President is authorized to cause a corporation to be organized for the purpose of producing and selling synthetic rubber. Any such corporation so organized shall be authorized, subject to the Government Corporation Control Act and to pertinent provisions of law affecting Government corporations, to sue and be sued, to acquire, hold, and dispose of property, to use its revenues, to determine the character of and necessity for its obligations and expenditures and

Consolidation of powers, etc.

59 Stat. 597.
31 U. S. C. §§ 841-869; Supp. I, § 846 *et seq.*
Post, p. 1283.

the manner in which they shall be incurred, allowed and paid, and to exercise such other powers as may be necessary or appropriate to carry out the purposes of the corporation. The Secretary of the Treasury is authorized, out of appropriations made for that purpose, to subscribe to the capital stock of such corporation.

Transfer of facilities, etc.

(d) The President may transfer to the departments, agencies, officers, Government corporations, or instrumentalities of the United States, or to any of them, which he directs to exercise the powers, authority, and discretion conferred upon him by this Act, such rubber-producing facilities, personnel, property, and records relating to such powers, authority, and discretion, as he deems necessary; and he may so transfer all appropriations or other funds available for carrying out such powers, authority, and discretion.

Annual report.

(e) In addition to the reports required by section 9 (a) of this Act, each department, agency, officer, Government corporation, or instrumentality of the United States to whom the President may delegate any powers, authority, and discretion conferred by this Act shall make an annual report to the President and to the Congress of operations under this Act.

PATENT POOLING AND USE OF TECHNICAL INFORMATION

SEC. 11. (a) To effectuate further the policies of this Act, the President is authorized and directed to take such action as may be appropriate with respect to patent pooling, patent licensing and exchange of information agreements entered into with the Government as a part of the wartime synthetic rubber program and, insofar as practicable and consistent with the purposes of this Act, to effectuate immediate cessation of further accumulation of technical information or rights to patents under the agreement dated December 19, 1941, as supplemented June 12, 1942, between the Government and others.

(b) Any department, agency, officer, Government corporation, or instrumentality of the United States as the President may designate to perform the powers, functions, duties, and authority referred to in section 7 (b) of this Act shall be entitled to the benefits of the Act of June 25, 1910 (36 Stat. 851), as amended July 1, 1918 (40 Stat. 705), or any similar Act.

35 U. S. C. § 68.
Post, p. 996.

INFORMATION, REPORTS, SUBPENAS, WITNESSES, AND TESTIMONY

SEC. 12. (a) The President shall be entitled to obtain such information from, require such reports and the keeping of such records by, make such inspection of the books, records, and other writings, premises, or property of, any person and make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this Act.

(b) For the purpose of obtaining any information, verifying any report required, or making any investigation pursuant to section 12 (a) of this Act, the President may administer oaths and affirmations, and may require by subpena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records, or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States: *Provided*, That the production of a person's books, records, or other documentary evidence shall not be required at any place other than the place where such person resides or transacts business, if, prior to the return date

Production of records.

specified in the subpena issued with respect thereto, such person furnishes the President with a true copy of such books, records, or other documentary evidence (certified by such person under oath to be a true and correct copy) or enters into a stipulation with the President as to the information contained in such books, records, or other documentary evidence. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. No person shall be excused from attending and testifying or from producing any books, records, or other documentary evidence or certified copies thereof, or physical evidence, in obedience to any such subpena, or in any action or proceeding which may be instituted under this Act on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be subject to prosecution and punishment, or to any penalty or forfeiture, for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that any such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The President shall not publish or disclose any information obtained under this section which the President deems confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless the President determines that the withholding thereof is contrary to the interest of the national defense and security; and anyone violating this provision shall be guilty of a felony and, upon conviction thereof, shall be fined not exceeding $1,000 or be imprisoned not exceeding two years, or both.

Witnesses.

Disclosure of information.

PENALTIES

SEC. 13. Any person who willfully performs any act prohibited, or willfully fails to perform any act required by any provision of this Act or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $10,000 or imprisoned for not more than two years, or both.

JURISDICTION OF THE UNITED STATES COURTS

SEC. 14. (a) The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction of violations of this Act or any rule, regulation, or order or subpena thereunder, and of all civil actions under this Act to enforce any liability or duty created by, or to enjoin any violation of this Act or any rule, regulation, order, or subpena thereunder.

(b) Any criminal proceeding on account of any such violation may be brought in any district in which any act, failure to act, or transaction constituting the alleged violation occurred. Any such civil action may be brought in any such district or in the district in which the defendant resides or transacts business. Process in such cases, criminal or civil, may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found; and subpenas for witnesses who are required to attend a court in any district in any such cases may run into any other district. No costs shall be assessed against the United States in any proceeding under this Act.

EXCULPATORY CLAUSE

SEC. 15. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or

indirectly from compliance with this Act or any rule, regulation, or order issued thereunder, notwithstanding that any such rule, regulation, or order shall thereafter be declared by judicial or other competent authority to be invalid.

EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT

60 Stat. 237.
5 U. S. C. §§ 1001-1011; Supp. I, § 1001.
Ante, p. 99.
5 U. S. C. §§ 1002, 1009.

SEC. 16. Functions exercised under this Act shall be excluded from the operation of the Administrative Procedure Act except as to the requirements of sections 3 and 10 thereof.

SEPARABILITY

SEC. 17. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

DEFINITIONS

SEC. 18. For the purposes of this Act—

"Natural rubber." (a) The term "natural rubber" means all forms and types of tree, vine, or shrub rubber, including guayule and natural rubber latex, but excluding reclaimed natural rubber;

"Synthetic rubber." (b) The term "synthetic rubber" means any product of chemical synthesis similar in general properties and applications to natural rubber, and specifically capable of vulcanization, produced in the United States, not including reclaimed synthetic rubber;

"General-purpose synthetic rubber." (c) The term "general-purpose synthetic rubber" means a synthetic rubber of the butadiene-styrene type generally suitable for use in the manufacture of transportation items such as tires or camel-back, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camel-back as determined from time to time by the President;

"Special-purpose synthetic rubber." (d) The term "special-purpose synthetic rubber" means a synthetic rubber of the types now known as butyl, neoprene, or N–types (butadiene-acrylonitrile types) as well as any synthetic rubber of similar or improved quality applicable to similar uses, as determined from time to time by the President;

"Rubber-producing facilities." (e) The term "rubber-producing facilities" means facilities, in whole or in part, for the manufacture of synthetic rubber, and the component materials thereof, including, but not limited to, buildings and land in which or on which such facilities may be located and all machinery and utilities associated therewith;

"Rated production capacity." (f) The term "rated production capacity" means the actual productive capacity assigned to any rubber-producing facilities at time of authorization of construction or as thereafter amended in authorizations of additional construction or alterations thereto and used in published reports and in the records of the Office of Rubber Reserve, Reconstruction Finance Corporation, or successor agency, or privately owned plants, determined by the President based upon operating experience and records as determined from time to time by the President;

"Component materials." (g) The term "component materials" means the material, raw, semi-finished, and finished, necessary for the manufacture of synthetic rubber;

"Stand-by condition." (h) The term "stand-by condition" means the condition in which rubber-producing facilities, in whole or in part, are placed when determined to be not needed for current operations, but are maintained so as to be readily available for the production of synthetic rubber or component materials;

"Person." (i) The term "person" means any individual, firm, copartnership,

business trust, corporation, or any organized group of persons whether incorporated or not, and except for the provisions of section 13 any Government department, agency, officer, corporation, or instrumentality of the United States; and

"United States."

(j) The term "United States" includes the several States, the District of Columbia, the Territories of Alaska and Hawaii, and Puerto Rico.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 19. (a) There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

Post, p. 1039.

(b) Until such time as appropriations herein authorized are made, any department, agency, officer, Government corporation, or instrumentality of the United States may, in order to carry out its functions, powers, and duties under this Act, continue to incur obligations and make expenditures in accordance with laws in effect on March 31, 1948.

EFFECTIVE DATE

SEC. 20. This Act shall become effective on April 1, 1948, and shall remain in effect until June 30, 1950.

Approved March 31, 1948.

[CHAPTER 167]

JOINT RESOLUTION

March 31, 1948
[H. J. Res. 355]
[Public Law 470]

Making appropriations for foreign aid, welfare of Indians, and refunding internal-revenue collections.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

Certain deficiency appropriations, 1948.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN AID

Foreign aid: For an additional amount for "Foreign aid", $55,000,000, to be applicable to Austria, France, and Italy: *Provided*, That, notwithstanding the provisions of section 15 of the Foreign Aid Act of 1947 (Public Law 389, Eighteith Congress), all funds appropriated for the purposes of such Act shall remain available for obligation for the procurement of commodities for a period of thirty days following the date of enactment of this Act.

61 Stat. 939.
22 U. S. C., Supp. I, § 1411 note.
Post, p. 149.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Welfare of Indians: For an additional amount for "Welfare of Indians", $125,000.

TREASURY DEPARTMENT

BUREAU OF INTERNAL REVENUE

Refunding internal-revenue collections: For an additional amount for "Refunding internal-revenue collections", $500,000,000.

Post, p. 228.

Approved March 31, 1948.

[CHAPTER 168]

AN ACT

April 2, 1948
[H. R. 4790]
[Public Law 471]

To reduce individual income tax payments, and for other purposes.

Revenue Act of 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following Table of Contents, may be cited as the "Revenue Act of 1948":

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TITLE I—INCOME TAX REDUCTION

SEC. 101. REDUCTION OF NORMAL TAX AND SURTAX.

Section 12 (c) of the Internal Revenue Code is hereby amended to read as follows:

53 Stat. 6.
26 U. S. C. § 12 (c).

"(c) REDUCTION OF TENTATIVE NORMAL TAX AND TENTATIVE SURTAX.—

"(1) The combined normal tax and surtax under section 11 and subsection (b) of this section shall be the aggregate of the tentative normal tax and tentative surtax, reduced as follows:

53 Stat. 5.
26 U. S. C. §§ 11, 12 (b).
Infra.

If the aggregate is:	The reduction shall be:
Not over $400	17% of the aggregate.
Over $400 but not over $100,000	$68 plus 12% of excess over $400.
Over $100,000	$12,020 plus 9.75% of excess over $100,000.

"(2) In no event shall the combined normal tax and surtax exceed 77 per centum of the net income."

SEC. 102. REDUCTION IN SUPPLEMENT T TAX.

For reduction in the tax under Supplement T of Chapter 1 of the Internal Revenue Code (tax table which may be used by taxpayer at his election if his adjusted gross income is less than $5,000), see section 401.

55 Stat. 689.
26 U. S. C. §§ 400-404.
Post, p. 128.

SEC. 103. INCOME OF HUSBAND AND WIFE.

For tax in case of joint return of husband and wife (the so-called "splitting of income"), see section 301.

Post, p. 114.

SEC. 104. TECHNICAL AMENDMENTS.

(a) Section 11 of the Internal Revenue Code (relating to the normal tax on individuals) is hereby amended by striking out "by 5 per centum thereof" and inserting in lieu thereof "as provided in section 12 (c)".

59 Stat. 557.
26 U. S. C. § 11.
Supra.

(b) Section 12 (b) of the Internal Revenue Code (relating to the rate of surtax on individuals) is hereby amended by striking out "by 5 per centum thereof" and inserting in lieu thereof "as provided in subsection (c) of this section".

59 Stat. 557.
26 U. S. C. § 12 (b).
Supra.

(c) Subsections (d), (e), (f), (g), and (h) of section 12 of the Internal Revenue Code are amended to read as follows:

53 Stat. 6; 58 Stat. 232.
26 U. S. C. § 12 (d)-(h).

"(e) COMPUTATION OF TAX WITHOUT REGARD TO CREDITS AGAINST TAX.—In the application of this section, the combined normal tax and surtax shall be computed without regard to the credits provided in sections 31, 32, and 35.

53 Stat. 24; 56 Stat. 893.
26 U. S. C. §§ 31, 32, 35.

"(f) ASCERTAINMENT OF NORMAL TAX AND SURTAX SEPARATELY.—Whenever it is necessary to ascertain the normal tax and the surtax separately, the surtax shall be an amount which is the same proportion of the combined normal tax and surtax as the tentative surtax is of the aggregate of the tentative normal tax and tentative surtax; and the normal tax shall be the remainder of such combined normal tax and surtax.

"(g) CROSS REFERENCES.—

"(1) ALTERNATIVE TAX.—For alternative tax which may be elected if adjusted gross income is less than $5,000, see Supplement T.

55 Stat. 689.
26 U. S. C. §§ 400-404.
Post, p. 128.

"(2) TAX IN CASE OF CAPITAL GAINS.—For rate and computation of alternative tax in lieu of normal tax and surtax in the case of capital gain from the sale or exchange of capital assets held for more than 6 months, see section 117 (c).

53 Stat. 51.
26 U. S. C. § 117 (c).

"(3) TAX ON PERSONAL HOLDING COMPANIES.—For surtax on personal holding companies, see section 500.

53 Stat. 104.
26 U. S. C. § 500.

"(4) AVOIDANCE OF SURTAXES BY INCORPORATION.—For surtax on corporations which accumulate surplus to avoid surtax on shareholders, see section 102.

53 Stat. 35. 26 U. S. C. § 102.

"(5) SALE OF OIL OR GAS PROPERTIES.—For limitation of surtax attributable to the sale of oil or gas properties, see section 105."

53 Stat. 36. 26 U. S. C. § 105.

SEC. 105. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.

The amendments made by this title shall be applicable with respect to taxable years beginning after December 31, 1947. For treatment of taxable years beginning in 1947 and ending in 1948, see section 601.

Post, p. 136.

TITLE II—CREDITS AGAINST NET INCOME FOR NORMAL TAX AND SURTAX

SEC. 201. ADDITIONAL CREDITS AGAINST NET INCOME FOR NORMAL TAX AND SURTAX.

53 Stat. 18. 26 U. S. C. § 25 (b) (1), (2).

Paragraphs (1) and (2) of section 25 (b) of the Internal Revenue Code are hereby amended to read as follows:

"(1) CREDITS.—There shall be allowed for the purposes of both the normal tax and the surtax, the following credits against net income:

"(A) An exemption of $600 for the taxpayer; and an additional exemption of $600 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer;

"(B) (i) An additional exemption of $600 for the taxpayer if he has attained the age of 65 before the close of his taxable year; and

"(ii) An additional exemption of $600 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse has attained the age of 65 before the close of such taxable year, and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer;

"(C) (i) An additional exemption of $600 for the taxpayer if he is blind at the close of his taxable year; and

"(ii) An additional exemption of $600 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer. For the purposes of this clause the determination of whether the spouse is blind shall be made as of the close of the taxable year of the taxpayer, unless the spouse dies during such taxable year, in which case such determination shall be made as of the time of such death;

"(iii) For the purposes of this subparagraph an individual is blind only if either: his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees;

"(D) An exemption of $600 for each dependent whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than $500, except that the exemption shall not be allowed in respect of a dependent who has made a joint return with his spouse under section 51 for the taxable year beginning in such calendar year.

"(2) DETERMINATION OF STATUS.—For the purposes of this subsection—

"(A) the determination of whether an individual is married shall be made as of the close of his taxable year, unless his spouse dies during his taxable year, in which case such determination shall be made as of the time of such death; and

"(B) an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married."

SEC. 202. TECHNICAL AMENDMENTS.

(a) DECLARATION OF ESTIMATED TAX.—Section 58 (a) of the Internal Revenue Code (relating to requirement of declaration of estimated tax) is hereby amended to read as follows: 57 Stat. 141. 26 U. S. C. § 58 (a).

"(a) REQUIREMENT OF DECLARATION.—Every individual (other than an estate or trust and other than a nonresident alien with respect to whose wages, as defined in section 1621 (a), withholding under Subchapter D of Chapter 9 is not made applicable) shall, at the time prescribed in subsection (d), make a declaration of his estimated tax for the taxable year if— 57 Stat. 126. 26 U. S. C. §§ 1621-1627; Supp, I, § 1621. *Post*, p. 130. 57 Stat. 142. 26 U. S. C. § 58 (d).

"(1) his gross income from wages (as defined in section 1621) can reasonably be expected to exceed the sum of $4,500 plus $600 with respect to each exemption provided in section 25 (b); or 53 Stat. 18. 26 U. S. C. § 25 (b).

"(2) his gross income from sources other than wages (as defined in section 1621) can reasonably be expected to exceed $100 for the taxable year and his gross income to be $600 or more." *Ante*, p. 112. 57 Stat. 126. 26 U. S. C. § 1621; Supp. I, § 1621.

(b) WITHHOLDING EXEMPTIONS.—

(1) IN GENERAL.—Section 1622 (h) (1) of the Internal Revenue Code is hereby amended to read as follows: 57 Stat. 136. 26 U. S. C. § 1622 (h) (1).

"(1) IN GENERAL.—An employee receiving wages shall on any day be entitled to the following withholding exemptions:

"(A) An exemption for himself.

"(B) One additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 25 (b) (1) (B) (i) (relating to old age) for the taxable year under Chapter 1 in respect of which amounts deducted and withheld under this subchapter in the calendar year in which such day falls are allowed as a credit. *Ante*, p. 112. 53 Stat. 4. 26 U. S. C. §§ 1-421; Supp. I, § 22 *et seq.* *Ante*, p. 111 *et seq.*

"(C) One additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 25 (b) (1) (C) (i) (relating to the blind) for the taxable year under Chapter 1 in respect of which amounts deducted and withheld under this subchapter in the calendar year in which such day falls are allowed as a credit. *Ante*, p. 112. 53 Stat. 4. 26 U. S. C. §§ 1-421; Supp. I, § 22 *et seq.* *Ante*, p. 111 *et seq.*

"(D) If the employee is married, any exemption to which his spouse is entitled, or would be entitled if such spouse were an employee receiving wages, under subparagraph (A), (B), or (C), but only if such spouse does not have in effect a withholding exemption certificate claiming such exemption.

"(E) An exemption for each individual with respect to whom, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 25 (b) (1) (D) for the taxable year under Chapter 1 in respect of which amounts deducted and withheld under this subchapter in the calendar year in which such day falls are allowed as a credit." *Ante*, p. 112. 53 Stat. 4. 26 U. S. C. §§ 1-421; Supp. I, § 22 *et seq.* *Ante*, p. 111 *et seq.*

(2) STATUS DETERMINATION DATE.—In the case of an individual entitled to an additional withholding exemption under section 1622 (h) (1) of the Internal Revenue Code by reason of the amendment made thereto by paragraph (1) of this subsection, the term "status determination date" as used in section 1622 (h) (3) (B) of such Code includes also the ninetieth day after the date of the enactment of this Act.

Ante, p. 113.

58 Stat. 254.
26 U. S. C. §1622 (h) (3) (B).

(c) REQUIREMENT OF RETURNS.—

(1) INDIVIDUAL RETURNS.—Section 51 (a) of the Internal Revenue Code (relating to the requirement of individual returns) is hereby amended by striking out "$500" and inserting in lieu thereof "$600".

53 Stat. 27; 56 Stat. 828.
26 U. S. C. §51 (a).

(2) FIDUCIARY RETURNS.—Section 142 (a) of such Code (relating to the requirement of fiduciary returns) is hereby amended by striking out "$500" wherever appearing therein and inserting in lieu thereof "$600".

53 Stat. 60; 56 Stat. 828.
26 U. S. C. §142 (a).

(3) INFORMATION RETURNS.—Section 147 (a) of such Code (relating to returns of information) is hereby amended by striking out "$500" wherever appearing therein and inserting in lieu thereof "$600".

53 Stat. 64; 56 Stat. 828.
26 U. S. C. §147 (a).

(d) CREDIT OF ESTATE AGAINST NET INCOME.—Section 163 (a) (1) of such Code (relating to credits against net income of an estate) is hereby amended by striking out "$500" and inserting in lieu thereof "$600".

53 Stat. 67; 59 Stat. 559.
26 U. S. C. §163 (a) (1).

(e) REPEAL OF DEDUCTION FOR BLIND INDIVIDUALS.—Effective with respect to taxable years beginning after December 31, 1947, section 23 (y) of such Code (relating to special deduction for blind individuals) is repealed.

58 Stat. 36.
26 U. S. C. § 23 (y).

SEC. 203. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.

The amendments made by this title shall be applicable with respect to taxable years beginning after December 31, 1947. For treatment of taxable years beginning in 1947 and ending in 1948, see section 601.

Post, p. 136.

TITLE III—HUSBAND AND WIFE

PART I—INCOME TAX

SEC. 301. SPLITTING OF INCOME.

Section 12 of the Internal Revenue Code (relating to surtax of individuals) is hereby amended by adding after subsection (c) of such section the following new subsection:

53 Stat. 5.
26 U. S. C. §12.
Ante, p. 111.

"(d) TAX IN CASE OF JOINT RETURN.—In the case of a joint return of husband and wife under section 51 (b), the combined normal tax and surtax under section 11 and subsection (b) of this section shall be twice the combined normal tax and surtax that would be determined if the net income and the applicable credits against net income provided by section 25 were reduced by one-half."

Post, p. 115.
53 Stat. 5.
26 U. S. C. §§11, 12 (b).
Ante, p. 111.
53 Stat. 17.
26 U. S. C. §25.
Ante, p. 112.

SEC. 302. STANDARD DEDUCTION.

(a) INCREASE OF STANDARD DEDUCTION IN CASE OF JOINT RETURN OR RETURN BY UNMARRIED PERSON.—Section 23 (aa) (1) (A) of the Internal Revenue Code (relating to the standard deduction) is hereby amended to read as follows:

58 Stat. 236.
26 U. S. C. § 23 (aa) (1) (A).

"(A) Adjusted Gross Income $5,000 or More.—If his adjusted gross income is $5,000 or more, the standard deduction shall be $1,000 or an amount equal to 10 per centum of the adjusted gross income, whichever is the lesser, except that

in the case of a separate return by a married individual, the standard deduction shall be $500."

(b) ELECTION BY HUSBAND AND WIFE.—Section 23 (aa) (4) of such Code is hereby amended to read as follows: 58 Stat. 237. 26 U. S. C. § 23 (aa) (4).

"(4) HUSBAND AND WIFE.—In the case of husband and wife, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction."

(c) DETERMINATION OF STATUS.—Section 23 (aa) of such Code is hereby amended by adding at the end thereof the following new paragraph: 58 Stat. 236. 26 U. S. C. § 23 (aa).

"(6) DETERMINATION OF STATUS.—For the purposes of this subsection—

"(A) the determination of whether an individual is married shall be made as of the close of his taxable year, unless his spouse dies during his taxable year, in which case such determination shall be made as of the time of such death; and

"(B) an individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married."

SEC. 303. JOINT RETURNS OF HUSBAND AND WIFE.

Section 51 (b) of the Internal Revenue Code (relating to joint returns) is hereby amended to read as follows: 53 Stat. 27. 26 U. S. C. § 51 (b).

"(b) HUSBAND AND WIFE.—

"(1) IN GENERAL.—A husband and wife may make a single return jointly. Such a return may be made even though one of the spouses has neither gross income nor deductions. If a joint return is made the tax shall be computed on the aggregate income and the liability with respect to the tax shall be joint and several.

"(2) NONRESIDENT ALIEN.—No joint return may be made if either the husband or wife at any time during the taxable year is a nonresident alien.

"(3) DIFFERENT TAXABLE YEARS.—No joint return shall be made if the husband and wife have different taxable years; except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each. The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under section 47 (a). 53 Stat. 26. 26 U. S. C. § 47 (a).

"(4) JOINT RETURN AFTER DEATH.—In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator; except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (A) no return for the taxable year has been made by the decedent, (B) no executor or administrator has been appointed, and (C) no executor or administrator is appointed before the last day prescribed by law for filing the return of the surviving spouse. If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute his separate return.

"(5) DETERMINATION OF STATUS.—For the purposes of this section—

"(A) the status as husband and wife of two individuals having taxable years beginning on the same day shall be determined—

"(i) if both have the same taxable year—as of the close of such year; and

"(ii) if one dies before the close of the taxable year of the other—as of the time of such death; and

"(B) an individual who is legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

"(6) TAX IN CASE OF JOINT RETURN.—For determination of combined normal tax and surtax under section 11 and section 12 (b) in case of joint return under this subsection, see section 12 (d). For tax in case of joint return of husband and wife electing to pay the tax under Supplement T, see section 400."

53 Stat. 5.
26 U. S. C. §§ 11, 12 (b) (d).
Ante, p. 111.

55 Stat. 689.
26 U. S. C. §§ 400–404.
Post, p. 128.

SEC. 304. DEDUCTION FOR MEDICAL EXPENSES.

56 Stat. 825.
26 U. S. C. § 23 (x).

Section 23 (x) of the Internal Revenue Code (relating to deduction of medical, etc., expenses) is hereby amended by striking out the second and third sentences thereof and inserting in lieu thereof the following: "The deduction shall not be in excess of $1,250 multiplied by the number of exemptions allowed under section 25 (b) for the taxable year (exclusive of exemptions allowed under section 25 (b) (1) (B) or (C)), with a maximum deduction of $2,500, except that the maximum deduction shall be $5,000 in the case of a joint return of husband and wife under section 51 (b)."

53 Stat. 18.
26 U. S. C. § 25 (b).
Ante, p. 112.

Ante, p. 115.

SEC. 305. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.

Ante, pp. 114, 115; *supra*.

The amendments made by sections 301, 302, 303, and 304 shall be applicable with respect to taxable years beginning after December 31, 1947. The amendment made by section 303 shall also be applicable to taxable years of both husband and wife beginning on the same day in 1947 if at least one of such taxable years ends in 1948. For treatment of taxable years beginning in 1947 and ending in 1948, see section 601.

Post, p. 136.

PART II—ESTATE TAX

Subpart 1—Repeal of 1942 Community Property Amendments

SEC. 351. REPEAL OF COMMUNITY PROPERTY ESTATE TAX AMENDMENTS.

56 Stat. 941, 942, 945.
26 U. S. C. § 811 (d) (5), (e) (2), (g) (4); Supp. I, § 811 note.

(a) Effective with respect to estates of decedents dying after December 31, 1947, sections 811 (d) (5), 811 (e) (2) and 811 (g) (4) of the Internal Revenue Code (relating to community property) are hereby repealed.

(b) Such section 811 (e) is further amended—

(1) by striking out of the heading of such subsection the words "AND COMMUNITY"; and

(2) by striking out of paragraph (1) the following: "JOINT INTERESTS.—".

53 Stat. 118.
26 U. S. C. §§ 800–938; Supp. I, §§ 811, 812, 861.
Post, p. 117 *et seq.*

(c) Notwithstanding the repeal of sections 811 (d) (5), 811 (e) (2), and 811 (g) (4) provided in subsection (a), the taxes imposed under chapter 3 of the Internal Revenue Code upon the transfer of the net

estate of any decedent dying after December 31, 1947, and on or before the date of the enactment of this Act shall not exceed the taxes which would have been imposed under such chapter 3 upon such transfer if this section had not been enacted.

Subpart 2—Marital Deduction for Bequests, Etc., to Spouse

SEC. 361. MARITAL DEDUCTION.

(a) Section 812 of the Internal Revenue Code (relating to deductions in computing net estate in the case of a citizen or resident of the United States) is hereby amended by adding at the end thereof a new subsection to read as follows: 53 Stat. 123. 26 U. S. C. § 812; Supp. I, § 812. *Post*, pp. 121, 1214.

"(e) BEQUESTS, ETC., TO SURVIVING SPOUSE.—

"(1) ALLOWANCE OF MARITAL DEDUCTION.—

"(A) In General.—An amount equal to the value of any interest in property which passes or has passed from the decedent to his surviving spouse, but only to the extent that such interest is included in determining the value of the gross estate.

"(B) Life Estate or Other Terminable Interest.—Where, upon the lapse of time, upon the occurrence of an event or contingency, or upon the failure of an event or contingency to occur, such interest passing to the surviving spouse will terminate or fail, no deduction shall be allowed with respect to such interest—

"(i) if an interest in such property passes or has passed (for less than an adequate and full consideration in money or money's worth) from the decedent to any person other than such surviving spouse (or the estate of such spouse); and

"(ii) if by reason of such passing such person (or his heirs or assigns) may possess or enjoy any part of such property after such termination or failure of the interest so passing to the surviving spouse;

and no deduction shall be allowed with respect to such interest (even if such deduction is not disallowed under clauses (i) and (ii))—

"(iii) if such interest is to be acquired for the surviving spouse, pursuant to directions of the decedent, by his executor or by the trustee of a trust.

For the purposes of this subparagraph, an interest shall not be considered as an interest which will terminate or fail merely because it is the ownership of a bond, note, or similar contractual obligation, the discharge of which would not have the effect of an annuity for life or for a term.

"(C) Interest In Unidentified Assets.—Where the assets (included in the decedent's gross estate) out of which, or the proceeds of which, an interest passing to the surviving spouse may be satisfied include a particular asset or assets with respect to which no deduction would be allowed if such asset or assets passed from the decedent to such spouse, then the value of such interest passing to such spouse shall, for the purposes of subparagraph (A), be reduced by the aggregate value of such particular assets.

"(D) Interest of Spouse Conditional on Survival For Limited Period.—For the purposes of subparagraph (B) an interest passing to the surviving spouse shall not be considered as

an interest which will terminate or fail upon the death of such spouse if—

"(i) such death will cause a termination or failure of such interest only if it occurs within a period not exceeding six months after the decedent's death, or only if it occurs as a result of a common disaster resulting in the death of the decedent and the surviving spouse, or only if it occurs in the case of either such event; and

"(ii) such termination or failure does not in fact occur.

"(E) Valuation Of Interest Passing To Surviving Spouse.—In determining for the purposes of subparagraph (A) the value of any interest in property passing to the surviving spouse for which a deduction is allowed by this subsection—

"(i) there shall be taken into account the effect which a tax imposed by this chapter, or any estate, succession, legacy, or inheritance tax, has upon the net value to the surviving spouse of such interest; and

"(ii) where such interest or property is incumbered in any manner, or where the surviving spouse incurs any obligation imposed by the decedent with respect to the passing of such interest, such incumbrance or obligation shall be taken into account in the same manner as if the amount of a gift to such spouse of such interest were being determined.

"(F) Trust With Power Of Appointment In Surviving Spouse.—In the case of an interest in property passing from the decedent in trust, if under the terms of the trust his surviving spouse is entitled for life to all the income from the corpus of the trust, payable annually or at more frequent intervals, with power in the surviving spouse to appoint the entire corpus free of the trust (exercisable in favor of such surviving spouse, or of the estate of such surviving spouse, or in favor of either, whether or not in each case the power is exercisable in favor of others), and with no power in any other person to appoint any part of the corpus to any person other than the surviving spouse—

"(i) the interest so passing shall, for the purposes of subparagraph (A), be considered as passing to the surviving spouse, and

"(ii) no part of the interest so passing shall, for the purposes of subparagraph (B) (i), be considered as passing to any person other than the surviving spouse.

This subparagraph shall be applicable only if, under the terms of the trust, such power in the surviving spouse to appoint the corpus, whether exercisable by will or during life, is exercisable by such spouse alone and in all events.

"(G) Life Insurance With Power of Appointment in Surviving Spouse.—In the case of proceeds of insurance upon the life of the decedent receivable in annual or more frequent installments commencing within one year after the decedent's death, if under the terms of the policy all amounts payable during the life of the surviving spouse are payable only to such spouse, and if such spouse has the power to appoint all amounts payable after such spouse's death (exercisable in

favor of the estate of such spouse, whether or not the power is exercisable in favor of others)—

"(i) such proceeds shall, for the purposes of subparagraph (A), be considered as passing to the surviving spouse, and *Ante*, p. 117.

"(ii) no part of such proceeds shall, for the purposes of subparagraph (B) (i), be considered as passing to any person other than the surviving spouse. *Ante*, p. 117.

This subparagraph shall be applicable only if, under the terms of the policy, such power in the surviving spouse to appoint, whether exercisable by will or during life, is exercisable by such spouse alone and in all events.

"(H) Limitation On Aggregate Of Deductions.—The aggregate amount of the deductions allowed under this paragraph (computed without regard to this subparagraph) shall not exceed 50 per centum of the value of the adjusted gross estate, as defined in paragraph (2). *Infra.*

"(2) COMPUTATION OF ADJUSTED GROSS ESTATE.—

"(A) General Rule.—Except as provided in subparagraph (B) of this paragraph the adjusted gross estate shall, for the purposes of paragraph (1) (H), be computed by subtracting from the entire value of the gross estate the aggregate amount of the deductions allowed by subsection (b) of this section. *Supra.* 53 Stat. 123. 26 U. S. C. § 812 (b).

"(B) Special Rule In Cases Involving Community Property.—If the decedent and his surviving spouse at any time held property as community property under the law of any State, Territory, or possession of the United States, or of any foreign country, then the adjusted gross estate shall, for the purposes of paragraph (1) (H), be determined by subtracting from the entire value of the gross estate the sum of:

"(i) the value of property which is at the time of the death of the decedent held as such community property; and

"(ii) the value of property transferred by the decedent during his life, if at the time of such transfer the property was held as such community property; and

"(iii) the amount receivable as insurance under policies upon the life of the decedent to the extent purchased with premiums or other consideration paid out of property held as such community property; and

"(iv) an amount which bears the same ratio to the aggregate of the deductions allowed under subsection (b) of this section which the value of the property included in the gross estate, diminished by the amount subtracted under clauses (i), (ii), and (iii) of this subparagraph, bears to the entire value of the gross estate.

For the purposes of clauses (i), (ii), and (iii) community property (except property which is considered as community property solely by reason of the provisions of subparagraph (C) of this paragraph) shall be considered as not 'held as such community property' as of any moment of time, if, in case of the death of the decedent at such moment, such property (and not merely one-half thereof) would be or would have been includible in determining the value of his gross estate without regard to the provisions of section 811 (e) (2). The amount 56 Stat. 942. 26 U. S. C. § 811 (e) (2). *Ante*, p. 116.

to be subtracted under clause (i), (ii), or (iii) shall not exceed the value of the interest in the property described therein which is included in determining the value of the gross estate.

"(C) Same—Conversion Into Separate Property.—

"(i) If during the calendar year 1942 or after the date of the enactment of the Revenue Act of 1948, property held as such community property (unless considered by reason of subparagraph (B) of this paragraph as not so held) was by the decedent and the surviving spouse converted, by one transaction or a series of transactions, into separate property of the decedent and his spouse (including any form of co-ownership by them), the separate property so acquired by the decedent and any property acquired at any time by the decedent in exchange therefor (by one exchange or a series of exchanges) shall, for the purposes of clauses (i), (ii), and (iii) of subparagraph (B), be considered as 'held as such community property'.

Ante, p. 119.

Ante, p. 119.

"(ii) Where the value (at the time of such conversion) of the separate property so acquired by the decedent exceeded the value (at such time) of the separate property so acquired by the decedent's spouse, the rule in clause (i) shall be applied only with respect to the same portion of such separate property of the decedent as the portion which the value (as of such time) of such separate property so acquired by the decedent's spouse is of the value (as of such time) of the separate property so acquired by the decedent.

"(3) DEFINITION.—For the purposes of this subsection an interest in property shall be considered as passing from the decedent to any person if and only if—

"(A) such interest is bequeathed or devised to such person by the decedent; or

"(B) such interest is inherited by such person from the decedent; or

"(C) such interest is the dower or curtesy interest (or statutory interest in lieu thereof) of such person as surviving spouse of the decedent; or

"(D) such interest has been transferred to such person by the decedent at any time; or

"(E) such interest was, at the time of the decedent's death, held by such person and the decedent (or by them and any other person) in joint ownership with right of survivorship; or

"(F) the decedent had a power (either alone or in conjunction with any person) to appoint such interest and if he appoints or has appointed such interest to such person, or if such person takes such interest in default upon the release or nonexercise of such power; or

"(G) such interest consists of proceeds of insurance upon the life of the decedent receivable by such person.

Except as provided in subparagraph (F) or (G) of paragraph (1), where at the time of the decedent's death it is not possible to ascertain the particular person or persons to whom an interest in property may pass from the decedent, such interest shall, for the purposes of clauses (i) and (ii) of subparagraph (B) of paragraph (1), be considered as passing from the decedent to a person other than the surviving spouse.

Ante, p. 118.

Ante, p. 117.

"(4) DISCLAIMERS.—

"(A) By Surviving Spouse.—If under this subsection an interest would, in the absence of a disclaimer by the surviving spouse, be considered as passing from the decedent to such spouse, and if a disclaimer of such interest is made by such spouse, then such interest shall, for the purposes of this subsection, be considered as passing to the person or persons entitled to receive such interest as a result of the disclaimer.

"(B) Disclaimer By Any Other Person.—If under this subsection an interest would, in the absence of a disclaimer by any person other than the surviving spouse, be considered as passing from the decedent to such person, and if a disclaimer of such interest is made by such person and as a result of such disclaimer the surviving spouse is entitled to receive such interest, then such interest shall, for the purposes of this subsection, be considered as passing, not to the surviving spouse, but to the person who made the disclaimer, in the same manner as if the disclaimer had not been made."

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to estates of decedents dying after December 31, 1947. *Ante*, p. 117.

SEC. 362. PROPERTY PREVIOUSLY TAXED.

(a) Section 812 (c) of the Internal Revenue Code (relating to the deduction for property previously taxed) is hereby amended by adding after the first paragraph two new paragraphs to read as follows: 53 Stat. 124. 26 U. S. C. § 812 (c).

"The following property shall not, for the purposes of this subsection, be considered as property with respect to which a deduction may be allowed: (A) property received from a prior decedent who died after December 31, 1947, and was at the time of such death the decedent's spouse, (B) property received by gift after the date of the enactment of the Revenue Act of 1948 from a donor who at the time of the gift was the decedent's spouse, and (C) property acquired in exchange for property described in clause (A) or (B).

"Where, under the provisions of section 1000 (f), a gift received by the decedent was considered as made one-half by the donor and one-half by the donor's spouse, one-half of the gift shall be considered as received by the decedent from each such spouse." *Post*, p. 127.

(b) Section 812 (c) is further amended by striking out "subsections (a) and (d)" and inserting in lieu thereof "subsections (a), (d), and (e)".

SEC. 363. CREDIT FOR GIFT TAX.

(a) Section 813 (a) (2) (A) of the Internal Revenue Code (relating to credit for gift tax) is hereby amended by inserting before the period at the end thereof the following: "reduced by the aggregate amount of the deductions allowed under subsections (d) and (e) of section 812". 53 Stat. 125. 26 U. S. C. § 813 (a) (2) (A). 53 Stat. 124. 26 U. S. C. § 812 (d). *Ante*, p. 117; *post*, p. 1214.

(b) Subparagraph (B) of section 813 (a) (2) of the Internal Revenue Code (relating to credit for gift tax) is hereby amended to read as follows: 53 Stat. 125. 26 U. S. C. § 813 (a) (2) (B).

"(B) In applying, with respect to any gift, the ratio stated in subparagraph (A), the value at the time of the gift or at the time of the death, referred to in such ratio, shall be reduced—

"(i) by such amount as will properly reflect the amount of such gift which was excluded in determining (for the

53 Stat. 146.
26 U. S. C. § 1003 (a).
47 Stat. 247.

purposes of section 1003 (a), or of section 504 (a) of the Revenue Act of 1932) the total amount of gifts made during the year in which the gift was made;

"(ii) if a deduction with respect to such gift is allowed under section 812 (e) (the so-called 'marital deduction')— then by an amount which bears the same ratio to such value (reduced as provided in clause (i) of this subparagraph) as the aggregate amount of the marital deductions allowed under section 812 (e) bears to the aggregate amount of such marital deductions computed without regard to subparagraph (H) of section 812 (e) (1); and

Ante, p. 117.

Ante, p. 119.

"(iii) if a deduction with respect to such gift is allowed under section 812 (d) (the so-called 'charitable deduction')—then by the amount of such value, reduced as provided in clause (i) of this subparagraph.

53 Stat. 124.
26 U. S. C., Supp. I, § 812 (d).

"(C) Where the decedent was the donor of the gift but, under the provisions of section 1000 (f), the gift was considered as made one-half by his spouse—

Post, p. 127.

"(i) the term 'the amount of the tax paid under chapter 4', as used in subparagraph (A) of this paragraph, includes the amounts paid with respect to each half of such gift, the amount paid with respect to each being computed in the manner provided in subparagraph (D); and

53 Stat. 125.
26 U. S. C. § 813 (a) (2) (A).

"(ii) in applying, with respect to such gift, the ratio stated in subparagraph (A) of this paragraph, the value at the time of the gift or at the time of the death, referred to in such ratio, includes such value with respect to each half of such gift, each such value being reduced as provided in clause (i) of subparagraph (B) of this paragraph.

53 Stat. 125.
26 U. S. C. § 813 (a) (2) (A).
Ante, p. 121.
53 Stat. 144.
26 U. S. C. §§ 1000-1031; Supp. I, §§ 1000, 1004.
Post, pp. 125, 127.
47 Stat. 245.

"(D) (i) For the purposes of subparagraph (A), the amount of tax paid under chapter 4, or under Title III of the Revenue Act of 1932, with respect to any gift shall be an amount which bears the same ratio to the total tax paid for the year in which the gift was made as the amount of such gift bears to the total amount of net gifts (computed without deduction of the specific exemption) for such year.

"(ii) For the purposes of clause (i) the 'amount of such gift' shall be the amount included with respect to such gift in determining (for the purposes of section 1003 (a), or of section 504 (a) of the Revenue Act of 1932) the total amount of gifts made during such year, reduced by the amount of any deduction allowed with respect to such gift under section 1004 (a) (2), or under section 505 (a) (2) of the Revenue Act of 1932 (the so-called 'charitable deduction'), or under section 1004 (a) (3) (the so-called 'marital deduction')."

53 Stat. 146.
26 U. S. C. § 1003 (a).
47 Stat. 247.

53 Stat. 147.
26 U. S. C. § 1004 (a) (2); Supp. I, § 1004 (a) (2).
47 Stat. 247.
Post, p. 125.

(c) Section 936 (b) (1) of the Internal Revenue Code (relating to credit for gift tax) is hereby amended by inserting after the words "entire gross estate" in clause (A) thereof the following: "reduced by the aggregate amount of the deductions allowed under subsections (d) and (e) of section 812".

53 Stat. 142.
26 U. S. C. § 936 (b) (1).

(d) Paragraph (2) of section 936 (b) of the Internal Revenue Code (relating to credit for gift tax) is hereby amended to read as follows:

53 Stat. 124.
26 U. S. C., Supp. I, § 812 (d).
Ante, p. 117.
53 Stat. 143.
26 U. S. C. § 936 (b) (2).

"(2) In applying, with respect to any gift, the ratio stated in clause (A) of paragraph (1), the value at the time of the gift or at the time of the death, referred to in such ratio, shall be reduced— 53 Stat. 142. 26 U. S. C. § 936 (b) (1) (A). *Ante*, p. 122.

"(A) by such amount as will properly reflect the amount of such gift which was excluded in determining (for the purposes of section 1003 (a), or of section 504 (a) of the Revenue Act of 1932) the total amount of gifts made during the year in which the gift was made; 53 Stat. 146. 26 U. S. C. § 1003 (a). 47 Stat. 247.

"(B) if a deduction with respect to such gift is allowed under section 812 (e) (the so-called 'marital deduction')— *Ante*, p. 117.

then by an amount which bears the same ratio to such value (reduced as provided in subparagraph (A) of this paragraph) as the aggregate amount of the marital deductions allowed under section 812 (e) bears to the aggregate amount of such marital deductions computed without regard to subparagraph (H) of section 812 (e) (1); and *Ante*, p. 119.

"(C) if a deduction with respect to such gift is allowed under section 812 (d) (the so-called 'charitable deduction')— 53 Stat. 124. 26 U. S. C., Supp. I, § 812 (d).

then by the amount of such value, reduced as provided in subparagraph (A) of this paragraph. *Supra.*

"(3) Where the decedent was the donor of the gift but, under the provisions of section 1000 (f), the gift was considered as made one-half by his spouse— *Post*, p. 127.

"(A) the term 'the amount of the tax paid under chapter 4', as used in paragraph (1) of this subsection, includes the amounts paid with respect to each half of such gift, the amount paid with respect to each being computed in the manner provided in paragraph (4); and 53 Stat. 142. 26 U. S. C. § 936 (b) (1). *Infra.*

"(B) in applying, with respect to such gift, the ratio stated in clause (A) of paragraph (1), the value at the time of the gift or at the time of the death, referred to in such ratio, includes such value with respect to each half of such gift, each such value being reduced as provided in subparagraph (A) of paragraph (2).

"(4) (A) For the purposes of paragraph (1), the amount of tax paid under chapter 4, or under Title III of the Revenue Act of 1932, with respect to any gift shall be an amount which bears the same ratio to the total tax paid for the year in which the gift was made as the amount of such gift bears to the total amount of net gifts (computed without deduction of the specific exemption) for such year. 53 Stat. 142. 26 U. S. C. § 936 (b) (1). *Ante*, p. 122. 53 Stat. 144. 26 U. S. C. §§ 1000-1031; Supp. I, §§ 1000, 1004. *Post*, pp. 125, 127. 47 Stat. 245.

"(B) For the purposes of subparagraph (A) the 'amount of such gift' shall be the amount included with respect to such gift in determining (for the purposes of section 1003 (a), or of section 504 (a) of the Revenue Act of 1932) the total amount of gifts made during such year, reduced by the amount of any deduction allowed with respect to such gift under section 1004 (a) (2), or under section 505 (a) (2) of the Revenue Act of 1932 (the so-called 'charitable deduction'), or under section 1004 (a) (3) (the so-called 'marital deduction')." 53 Stat. 146. 26 U. S. C. § 1003 (a). 47 Stat. 247. 53 Stat. 147. 26 U. S. C. § 1004 (a) (2); Supp. I, § 1004 (a) (2). 47 Stat. 247. *Post*, p. 125.

(e) The amendments made by this section shall be applicable only with respect to the estates of decedents dying after December 31, 1947.

SEC. 364. OPTIONAL VALUATION.

(a) The last sentence of section 811 (j) of the Internal Revenue Code (relating to optional valuation) is hereby amended to read as 53 Stat. 122. 26 U. S. C. § 811 (j).

follows: "In case of an election made by the executor under this subsection, then—

53 Stat. 124, 130.
26 U. S. C., Supp. I, §§ 812 (d), 861 (a) (3).

"(A) for the purposes of the deduction under section 812 (d) or section 861 (a) (3), any bequest, legacy, devise, or transfer enumerated therein, and

"(B) for the purposes of the deduction under section 812 (e), any interest in property passing to the surviving spouse, shall be valued as of the date of the decedent's death with adjustment for any difference in value (not due to mere lapse of time or the occurrence or nonoccurrence of a contingency) of the property as of the date one year after the decedent's death (substituting, in the case of property distributed by the executor or trustee, or sold, exchanged, or otherwise disposed of, during such one-year period, the date thereof)."

(b) The amendment made by this section shall be applicable only with respect to estates of decedents dying after December 31, 1947.

SEC. 365. LIABILITY OF LIFE INSURANCE BENEFICIARIES, ETC.

53 Stat. 128.
26 U. S. C. § 826 (c).

(a) Section 826 (c) of the Internal Revenue Code (relating to liability of life insurance beneficiaries) is hereby amended by adding at the end thereof the following new sentence: "In the case of such proceeds receivable by the surviving spouse of the decedent for which a deduction is allowed under section 812 (e) (the so-called 'marital deduction'), this subsection shall not apply to such proceeds except as to the amount thereof in excess of the aggregate amount of the marital deductions allowed under such subsection."

Ante, p. 117.

56 Stat. 943.
26 U. S. C. § 826 (d).

(b) Section 826 (d) of the Internal Revenue Code (relating to liability of recipient of property over which decedent had power of appointment) is hereby amended by adding at the end thereof the following new sentence: "In the case of such property received by the surviving spouse of the decedent for which a deduction is allowed under section 812 (e) (the so-called 'marital deduction'), this subsection shall not apply to such property except as to the value thereof reduced by an amount equal to the excess of the aggregate amount of the marital deductions allowed under section 812 (e) over the amount of proceeds of insurance upon the life of the decedent receivable by the surviving spouse for which proceeds a marital deduction is allowed under such subsection."

Ante, p. 117.

(c) The amendments made by this section shall be applicable only with respect to estates of decedents dying after December 31, 1947.

SEC. 366. BASIS OF SURVIVING SPOUSE'S INTEREST IN COMMUNITY PROPERTY.

53 Stat. 41.
26 U. S. C. § 113 (a) (5).

(a) Section 113 (a) (5) of the Internal Revenue Code (relating to basis of property transmitted at death) is hereby amended by adding at the end thereof the following new sentences: "For the purposes of this paragraph the surviving spouse's one-half share of community property held by the decedent and the surviving spouse under the community property laws of any State, Territory or possession of the United States or any foreign country shall be considered to be property 'acquired by bequest, devise, or inheritance' from the decedent, if the death of the decedent was after December 31, 1947, and if at least one-half of the whole of the community interest in such property was includible in determining the value of the decedent's gross estate under section 811. In the case of property held by a decedent and his surviving spouse under the community property laws of any State, Territory, or possession of the United States or any foreign country, if the value of any part of the surviving spouse's one-half share of such property was included in determining the value of the gross estate of the decedent and a tax under chapter 3 was payable upon the transfer

53 Stat. 120.
26 U. S. C. § 811; Supp. I, § 811 note.
Ante, pp. 116, 123.

53 Stat. 118.
26 U. S. C. §§ 800-938; Supp. I, §§ 811, 812, 861.
Ante, p. 116 *et seq.*; *post*, p. 1214.

of the net estate of the decedent, then for the purposes of this paragraph such part of such one-half share of the surviving spouse shall be considered to be property 'acquired by bequest, devise, or inheritance' from the decedent, if the death of the decedent was after the date of the enactment of the Revenue Act of 1942 and on or before December 31, 1947; but nothing in this sentence shall reduce basis below that which would exist if the Revenue Act of 1948 had not been enacted."

56 Stat. 798.

(b) If the allowance of a credit or refund of any overpayment of tax resulting from the application of this section is prevented on the date of the enactment of this Act, or within one year from such date, by the operation of any law or rule of law (other than section 3761 of the Internal Revenue Code, relating to compromises), credit or refund of such overpayment may, nevertheless, be allowed or made if claim therefor is filed within one year from the date of the enactment of this Act. No interest shall be paid on any overpayment resulting from the application of the last sentence of section 113 (a) (5) of such code, as amended by this section, if such overpayment is for a taxable year beginning before January 1, 1948.

53 Stat. 462.
26 U. S. C. § 3761.

Ante, p. 124.

PART III—GIFT TAX

SEC. 371. GIFTS OF COMMUNITY PROPERTY.

Section 1000 (d) of the Internal Revenue Code (relating to gifts of property held as community property) is amended by adding at the end thereof a new sentence to read as follows: "This subsection shall be applicable only to gifts made after the calendar year 1942 and on or before the date of the enactment of the Revenue Act of 1948."

56 Stat. 953.
26 U. S. C. § 1000 (d).

SEC. 372. MARITAL DEDUCTION.

Section 1004 (a) of the Internal Revenue Code (relating to deductions in computing net gifts in the case of a citizen or resident of the United States) is hereby amended by adding at the end thereof a new paragraph to read as follows:

53 Stat. 147.
26 U. S. C. § 1004 (a); Supp. I, § 1004 (a).

"(3) GIFT TO SPOUSE.—

"(A) In General.—Where the donor transfers during the calendar year (and after the date of the enactment of the Revenue Act of 1948) by gift an interest in property to a donee who at the time of the gift is the donor's spouse—an amount with respect to such interest equal to one-half of its value.

"(B) Life Estate or Other Terminable Interest.—Where, upon the lapse of time, upon the occurrence of an event or contingency, or upon the failure of an event or contingency to occur, such interest transferred to the spouse will terminate or fail, no deduction shall be allowed with respect to such interest—

"(i) if the donor retains in himself, or transfers or has transferred (for less than an adequate and full consideration in money or money's worth) to any person other than such donee spouse (or the estate of such spouse), an interest in such property, and if by reason of such retention or transfer the donor (or his heirs or assigns) or such person (or his heirs or assigns) may possess or enjoy any part of such property after such termination or failure of the interest transferred to the donee spouse; or

"(ii) if the donor immediately after the transfer to the donee spouse has a power to appoint an interest in such property which he can exercise (either alone or in

conjunction with any person) in such manner that the appointee may possess or enjoy any part of such property after such termination or failure of the interest transferred to the donee spouse. For the purposes of this clause the donor shall be considered as having immediately after the transfer to the donee spouse such power to appoint even though such power cannot be exercised until after the lapse of time, upon the occurrence of an event or contingency, or upon the failure of an event or contingency to occur.

An exercise or release at any time by the donor, either alone or in conjunction with any person, of a power to appoint an interest in property, even though not otherwise a transfer, shall, for the purposes of clause (i) of this subparagraph, be considered as a transfer by him. Except as provided in subparagraph (E), where at the time of the transfer it is impossible to ascertain the particular person or persons who may receive from the donor an interest in property so transferred by him, such interest shall, for the purposes of clause (i) of this subparagraph, be considered as transferred to a person other than the donee spouse.

Infra.

"(C) Where the assets out of which, or the proceeds of which, the interest transferred to the donee spouse may be satisfied include a particular asset or assets with respect to which no deduction would be allowed if such asset or assets were transferred from the donor to such spouse, then the value of the interest transferred to such spouse shall, for the purposes of subparagraph (A), be reduced by the aggregate value of such particular assets.

Ante, p. 125.

"(D) Joint Interests.—If the interest is transferred to the donee spouse as sole joint tenant with the donor or as tenant by the entirety, the interest of the donor in the property which exists solely by reason of the possibility that the donor may survive the donee spouse, or that there may occur a severance of the tenancy, shall not be considered for the purposes of subparagraph (B) as an interest retained by the donor in himself.

Ante, p. 125.

"(E) Trust With Power Of Appointment In Donee Spouse.—Where the donor transfers in trust an interest in property, if under the terms of the trust his spouse is entitled for life to all the income from the corpus of the trust, payable annually or at more frequent intervals, with power in the donee spouse to appoint the entire corpus free of the trust (exercisable in favor of such donee spouse, or of the estate of such donee spouse, or in favor of either, whether or not in each case the power is exercisable in favor of others), and with no power in any other person to appoint any part of the corpus to any person other than the donee spouse—

"(i) the interest so transferred in trust shall, for the purposes of subparagraph (A), be considered as transferred to the donee spouse, and

Ante, p. 125.

"(ii) no part of the interest so transferred in trust shall, for the purposes of subparagraph (B) (i), be considered as retained in the donor or transferred to any person other than the donee spouse.

Ante, p. 125.

This subparagraph shall be applicable only if, under the terms of the trust, such power in the donee spouse to appoint the corpus, whether exercisable by will or during life, is exercisable by such spouse alone and in all events.

"(F) Community Property.—

"(i) A deduction otherwise allowable under this paragraph shall be allowed only to the extent that the transfer can be shown to represent a gift of property which is not, at the time of the gift, held as community property under the law of any State, Territory, or possession of the United States, or of any foreign country.

"(ii) For the purposes of clause (i), community property (except property which is considered as community property solely by reason of the provisions of clause (iii)) shall not be considered as 'held as community property' if the entire value of such property (and not merely one-half thereof) is treated as the amount of the gift.

"(iii) If during the calendar year 1942 or after the date of the enactment of the Revenue Act of 1948, property held as such community property (unless considered by reason of clause (ii) as not so held) was by the donor and the donee spouse converted, by one transaction or a series of transactions, into separate property of the donor and such spouse (including any form of co-ownership by them), the separate property so acquired by the donor and any property acquired at any time by the donor in exchange therefor (by one exchange or a series of exchanges) shall, for the purposes of clause (i), be considered as 'held as community property'.

"(iv) Where the value (at the time of such conversion) of the separate property so acquired by the donor exceeded the value (at such time) of the separate property so acquired by such spouse, the rule in clause (iii) shall be applied only with respect to the same portion of such separate property of the donor as the portion which the value (as of such time) of such separate property so acquired by such spouse is of the value (as of such time) of the separate property so acquired by the donor."

SEC. 373. TECHNICAL AMENDMENT.

Section 1004 (c) of the Internal Revenue Code is hereby amended to read as follows: 53 Stat. 148. 26 U. S. C. § 1004 (c).

"(c) EXTENT OF DEDUCTIONS.—The deductions provided in subsection (a) (2) or (3) or in subsection (b) shall be allowed only to the extent that the gifts therein specified are included in the amount of gifts against which such deductions are applied."

SEC. 374. GIFT OF HUSBAND OR WIFE TO THIRD PARTY.

Section 1000 of the Internal Revenue Code (relating to imposition of gift tax) is hereby amended by adding at the end thereof a new subsection to read as follows: 53 Stat. 144; 58 Stat. 71. 26 U. S. C. § 1000; Supp. I, § 1000. *Ante*, p. 125.

"(f) GIFT OF HUSBAND OR WIFE TO THIRD PARTY.—

"(1) CONSIDERED AS MADE ONE-HALF BY EACH.—

"(A) In General.—A gift made after the date of the enactment of the Revenue Act of 1948 by one spouse to any person other than his spouse shall, for the purposes of this chapter, be considered as made one-half by him and one-half by his spouse, but only if at the time of the gift each spouse is a citizen or resident of the United States. This subparagraph shall not apply with respect to a gift by a spouse of an interest in property if he creates in his spouse a power of appointment, as defined in subsection (c) of this section, over such interest. For the purposes of this subsection an

individual shall be considered as the spouse of another individual only if he is married to such individual at the time of the gift and does not remarry during the remainder of the calendar year.

"(B) Consent of Both Spouses.—Subparagraph (A) shall be applicable only if both spouses have signified (in accordance with the regulations provided for in paragraph (2)) their consent to the application of subparagraph (A) in the case of all such gifts made during the calendar year by either while married to the other.

Infra.

"(2) MANNER AND TIME OF SIGNIFYING CONSENT.—

"(A) Manner.—A consent under this subsection shall be signified in such manner as is provided under regulations prescribed by the Commissioner with the approval of the Secretary.

"(B) Time.—Such consent may be so signified at any time after the close of the calendar year in which the gift was made, subject to the following limitations—

"(i) the consent may not be signified after the 15th day of March following the close of such year, unless before such 15th day no return has been filed for such year by either spouse, in which case the consent may not be signified after a return for such year is filed by either spouse;

"(ii) the consent may not be signified after a notice of deficiency with respect to the tax for such year has been sent to either spouse in accordance with section 1012 (a).

53 Stat. 149.
26 U.S.C. § 1012 (a).

"(3) REVOCATION OF CONSENT.—Revocation of a consent previously signified shall be made in such manner as is provided under regulations prescribed by the Commissioner with the approval of the Secretary, but the right to revoke a consent previously signified with respect to a calendar year—

"(A) shall not exist after the 15th day of March following the close of such year if the consent was signified on or before such 15th day; and

"(B) shall not exist if the consent was not signified until after such 15th day.

Supra.

"(4) JOINT AND SEVERAL LIABILITY FOR TAX.—If the consent required by paragraph (1) (B) is signified with respect to a gift made in any calendar year the liability with respect to the entire tax imposed by this chapter of each spouse for such year shall be joint and several."

TITLE IV—ADJUSTED GROSS INCOME OF LESS THAN $5,000

SEC. 401. INDIVIDUALS WITH ADJUSTED GROSS INCOMES OF LESS THAN $5,000.

55 Stat. 689.
26 U.S.C. § 400.

(a) IN GENERAL.—Section 400 of the Internal Revenue Code (relating to optional tax on individuals with adjusted gross incomes of less than $5,000) is hereby amended to read as follows:

"SEC. 400. IMPOSITION OF TAX.

53 Stat. 5.
26 U.S.C. §§ 11, 12.
Ante, pp. 111, 114.

"In lieu of the taxes imposed by sections 11 and 12, there shall be levied, collected, and paid for each taxable year upon the net income of each individual whose adjusted gross income for such year is less

than $5,000, and who has elected to pay the tax imposed by this supplement for such year, a tax as follows:

"If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—								
									2		3					
At least	But less than	1	2	3	4 or more	At least	But less than	1	And if other than a joint return is filed	And if a joint return is filed	And if other than a joint return is filed	And if a joint return is filed	4	5	6	7	8 or more
		The tax shall be—						The tax shall be—								
$0	$675	$0	$0	$0	$0	$2,325	$2,350	$250	$150	$150	$50	$50	$0	$0	$0	$0	$0
675	700	3	0	0	0	2,350	2,375	253	154	154	54	54	0	0	0	0	0
700	725	7	0	0	0	2,375	2,400	257	157	157	58	58	0	0	0	0	0
725	750	11	0	0	0	2,400	2,425	261	161	161	62	62	0	0	0	0	0
750	775	14	0	0	0	2,425	2,450	265	165	165	65	65	0	0	0	0	0
775	800	18	0	0	0	2,450	2,475	268	169	169	69	69	0	0	0	0	0
800	825	22	0	0	0	2,475	2,500	272	172	172	73	73	0	0	0	0	0
825	850	26	0	0	0	2,500	2,525	276	176	176	77	77	0	0	0	0	0
850	875	29	0	0	0	2,525	2,550	280	180	180	80	80	0	0	0	0	0
875	900	33	0	0	0	2,550	2,575	283	184	184	84	84	0	0	0	0	0
900	925	37	0	0	0	2,575	2,600	287	187	187	88	88	0	0	0	0	0
925	950	40	0	0	0	2,600	2,625	291	191	191	92	92	0	0	0	0	0
950	975	44	0	0	0	2,625	2,650	294	195	195	95	95	0	0	0	0	0
975	1,000	48	0	0	0	2,650	2,675	298	199	199	99	99	0	0	0	0	0
1,000	1,025	52	0	0	0	2,675	2,700	302	202	202	103	103	3	0	0	0	0
1,025	1,050	55	0	0	0	2,700	2,725	306	206	206	106	106	7	0	0	0	0
1,050	1,075	59	0	0	0	2,725	2,750	309	210	210	110	110	11	0	0	0	0
1,075	1,100	63	0	0	0	2,750	2,775	313	214	214	114	114	14	0	0	0	0
1,100	1,125	67	0	0	0	2,775	2,800	317	217	217	118	118	18	0	0	0	0
1,125	1,150	70	0	0	0	2,800	2,825	321	221	221	121	121	22	0	0	0	0
1,150	1,175	74	0	0	0	2,825	2,850	324	225	225	125	125	26	0	0	0	0
1,175	1,200	78	0	0	0	2,850	2,875	328	228	228	129	129	29	0	0	0	0
1,200	1,225	82	0	0	0	2,875	2,900	332	232	232	133	133	33	0	0	0	0
1,225	1,250	85	0	0	0	2,900	2,925	336	236	236	136	136	37	0	0	0	0
1,250	1,275	89	0	0	0	2,925	2,950	340	240	240	140	140	40	0	0	0	0
1,275	1,300	93	0	0	0	2,950	2,975	345	243	243	144	144	44	0	0	0	0
1,300	1,325	96	0	0	0	2,975	3,000	349	247	247	148	148	48	0	0	0	0
1,325	1,350	100	1	0	0	3,000	3,050	356	253	253	153	153	54	0	0	0	0
1,350	1,375	104	4	0	0	3,050	3,100	364	260	260	161	161	61	0	0	0	0
1,375	1,400	108	8	0	0	3,100	3,150	373	268	268	168	168	68	0	0	0	0
1,400	1,425	111	12	0	0	3,150	3,200	382	275	275	176	176	76	0	0	0	0
1,425	1,450	115	16	0	0	3,200	3,250	391	283	283	183	183	83	0	0	0	0
1,450	1,475	119	19	0	0	3,250	3,300	399	290	290	190	190	91	0	0	0	0
1,475	1,500	123	23	0	0	3,300	3,350	408	298	298	198	198	98	0	0	0	0
1,500	1,525	126	27	0	0	3,350	3,400	417	305	305	205	205	106	6	0	0	0
1,525	1,550	130	31	0	0	3,400	3,450	425	312	312	213	213	113	14	0	0	0
1,550	1,575	134	34	0	0	3,450	3,500	434	320	320	220	220	121	21	0	0	0
1,575	1,600	138	38	0	0	3,500	3,550	443	327	327	228	228	128	29	0	0	0
1,600	1,625	141	42	0	0	3,550	3,600	452	335	335	235	235	136	36	0	0	0
1,625	1,650	145	45	0	0	3,600	3,650	460	344	342	243	243	143	44	0	0	0
1,650	1,675	149	49	0	0	3,650	3,700	469	353	350	250	250	151	51	0	0	0
1,675	1,700	153	53	0	0	3,700	3,750	478	362	357	258	258	158	59	0	0	0
1,700	1,725	156	57	0	0	3,750	3,800	486	370	365	265	265	166	66	0	0	0
1,725	1,750	160	60	0	0	3,800	3,850	495	379	372	273	273	173	73	0	0	0
1,750	1,775	164	64	0	0	3,850	3,900	504	388	380	280	280	181	81	0	0	0
1,775	1,800	167	68	0	0	3,900	3,950	513	396	387	288	288	188	88	0	0	0
1,800	1,825	171	72	0	0	3,950	4,000	521	405	395	295	295	195	96	0	0	0
1,825	1,850	175	75	0	0	4,000	4,050	530	414	402	303	303	203	103	4	0	0
1,850	1,875	179	79	0	0	4,050	4,100	539	423	410	310	310	210	111	11	0	0
1,875	1,900	182	83	0	0	4,100	4,150	547	431	417	317	317	218	118	19	0	0
1,900	1,925	186	87	0	0	4,150	4,200	556	440	425	325	325	225	126	26	0	0
1,925	1,950	190	90	0	0	4,200	4,250	565	449	432	332	332	233	133	34	0	0
1,950	1,975	194	94	0	0	4,250	4,300	574	457	439	341	340	240	141	41	0	0
1,975	2,000	197	98	0	0	4,300	4,350	582	466	447	350	347	248	148	49	0	0
2,000	2,025	201	101	2	0	4,350	4,400	591	475	454	359	355	255	156	56	0	0
2,025	2,050	205	105	6	0	4,400	4,450	600	483	462	367	362	263	163	63	0	0
2,050	2,075	209	109	9	0	4,450	4,500	608	492	469	376	370	270	171	71	0	0
2,075	2,100	212	113	13	0	4,500	4,550	617	501	477	385	377	278	178	78	0	0
2,100	2,125	216	116	17	0	4,550	4,600	626	510	484	393	385	285	186	86	0	0
2,125	2,150	220	120	21	0	4,600	4,650	635	518	492	402	392	293	193	93	0	0
2,150	2,175	223	124	24	0	4,650	4,700	643	527	499	411	400	300	200	101	1	0
2,175	2,200	227	128	28	0	4,700	4,750	652	536	507	420	407	308	208	108	9	0
2,200	2,225	231	131	32	0	4,750	4,800	661	544	514	428	415	315	215	116	16	0
2,225	2,250	235	135	35	0	4,800	4,850	669	553	522	437	422	322	223	123	24	0
2,250	2,275	238	139	39	0	4,850	4,900	678	562	529	446	430	330	230	131	31	0
2,275	2,300	242	143	43	0	4,900	4,950	687	571	537	454	437	337	238	138	39	0
2,300	2,325	246	146	47	0	4,950	5,000	695	579	544	463	444	345	245	146	46	0"

(b) TAXABLE YEARS TO WHICH APPLICABLE.—The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1947. For treatment of taxable years beginning in 1947 and ending in 1948, see section 601.

Post, p. 136.

TITLE VI—FISCAL YEAR TAXPAYERS

SEC. 601. FISCAL YEAR TAXPAYERS.

59 Stat. 570.
26 U. S. C. § 108.

Section 108 of the Internal Revenue Code is hereby amended by striking out "(d)" at the beginning of subsection (d) and inserting in lieu thereof "(e)", and by inserting after subsection (c) the following:

"(d) TAXABLE YEARS OF INDIVIDUALS BEGINNING IN 1947 AND ENDING IN 1948.—In the case of a taxable year of an individual beginning in 1947 and ending in 1948, the tax imposed by sections 11, 12, and 400 shall be an amount equal to the sum of—

53 Stat. 5.
26 U. S. C. §§ 11, 12.
Ante, pp. 111, 114, 128.

"(1) that portion of a tax, computed as if the law applicable to taxable years beginning on January 1, 1947, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1948, bears to the total number of days in such taxable year, plus

"(2) that portion of a tax, computed as if the law applicable to taxable years beginning on January 1, 1948, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1947, bears to the total number of days in such taxable year."

JOSEPH W. MARTIN JR
Speaker of the House of Representatives.

A H VANDENBERG
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
April 2, 1948.

The House of Representatives having proceeded to reconsider the bill (H. R. 4790) entitled "An Act to reduce individual income tax payments, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS
Clerk.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
April 2 (legislative day, March 29), 1948.

The Senate having proceeded to reconsider the bill (H. R. 4790) "An Act to reduce individual income tax payments, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER
Secretary.

[CHAPTER 169]

AN ACT

April 3, 1948
[S. 2202]
[Public Law 472]

To promote world peace and the general welfare, national interest, and foreign policy of the United States through economic, financial, and other measures necessary to the maintenance of conditions abroad in which free institutions may survive and consistent with the maintenance of the strength and stability of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1948".

Foreign Assistance Act of 1948.

TITLE I

SEC. 101. This title may be cited as the "Economic Cooperation Act of 1948".

Economic Cooperation Act of 1948.

FINDINGS AND DECLARATION OF POLICY

SEC. 102. (a) Recognizing the intimate economic and other relationships between the United States and the nations of Europe, and recognizing that disruption following in the wake of war is not contained by national frontiers, the Congress finds that the existing situation in Europe endangers the establishment of a lasting peace, the general welfare and national interest of the United States, and the attainment of the objectives of the United Nations. The restoration or maintenance in European countries of principles of individual liberty, free institutions, and genuine independence rests largely upon the establishment of sound economic conditions, stable international economic relationships, and the achievement by the countries of Europe of a healthy economy independent of extraordinary outside assistance. The accomplishment of these objectives calls for a plan of European recovery, open to all such nations which cooperate in such plan, based upon a strong production effort, the expansion of foreign trade, the creation and maintenance of internal financial stability, and the development of economic cooperation, including all possible steps to establish and maintain equitable rates of exchange and to bring about the progressive elimination of trade barriers. Mindful of the advantages which the United States has enjoyed through the existence of a large domestic market with no internal trade barriers, and believing that similar advantages can accrue to the countries of Europe, it is declared to be the policy of the people of the United States to encourage these countries through a joint organization to exert sustained common efforts as set forth in the report of the Committee of European Economic Cooperation signed at Paris on September 22, 1947, which will speedily achieve that economic cooperation in Europe which is essential for lasting peace and prosperity. It is further declared to be the policy of the people of the United States to sustain and strengthen principles of individual liberty, free institutions, and genuine independence in Europe through assistance to those countries of Europe which participate in a joint recovery program based upon self-help and mutual cooperation: *Provided*, That no assistance to the participating countries herein contemplated shall seriously impair the economic stability of the United States. It is further declared to be the policy of the United States that continuity of assistance provided by the United States should, at all times, be dependent upon continuity of cooperation among countries participating in the program.

PURPOSES OF TITLE

(b) It is the purpose of this title to effectuate the policy set forth in subsection (a) of this section by furnishing material and financial

assistance to the participating countries in such a manner as to aid them, through their own individual and concerted efforts, to become independent of extraordinary outside economic assistance within the period of operations under this title, by—

(1) promoting industrial and agricultural production in the participating countries;

(2) furthering the restoration or maintenance of the soundness of European currencies, budgets, and finances; and

(3) facilitating and stimulating the growth of international trade of participating countries with one another and with other countries by appropriate measures including reduction of barriers which may hamper such trade.

PARTICIPATING COUNTRIES

"Participating country."

SEC. 103. (a) As used in this title, the term "participating country" means—

(1) any country, together with dependent areas under its administration, which signed the report of the Committee of European Economic Cooperation at Paris on September 22, 1947; and

(2) any other country (including any of the zones of occupation of Germany, any areas under international administration or control, and the Free Territory of Trieste or either of its zones) wholly or partly in Europe, together with dependent areas under its administration;

provided such country adheres to, and for so long as it remains an adherent to, a joint program for European recovery designed to accomplish the purposes of this title.

Free Territory of Trieste.
Post, p. 1055.

61 Stat. 934.
22 U. S. C., Supp. I, § 1411 and note.

(b) Until such time as the Free Territory of Trieste or either of its zones becomes eligible for assistance under this title as a participating country, assistance to the Free Territory of Trieste, or either of its zones, is hereby authorized under the Foreign Aid Act of 1947 until June 30, 1949, and the said Foreign Aid Act of 1947 is hereby amended accordingly, and not to exceed $20,000,000 out of funds authorized to be advanced by the Reconstruction Finance Corporation under subsection (a) of section 114 of this title, or under subsection (d) of section 11 of the Foreign Aid Act of 1947 notwithstanding any appropriation heretofore made under such Act, may be utilized for the purposes of this subsection: *Provided*, That section 11 (b) of the Foreign Aid Act of 1947 shall not apply in respect of the Free Territory of Trieste or either of its zones: *And provided further*, That the provisions of section 115 (b) (6) of this title shall apply to local currency deposited pursuant to section 5 (b) of that Act.

Post, p. 149.

61 Stat. 938.
22 U. S. C., Supp. I, § 1411 note.

Post, p. 151.
61 Stat. 936.
22 U. S. C., Supp. I, § 1411 note.

ESTABLISHMENT OF ECONOMIC COOPERATION ADMINISTRATION

Administrator.

SEC. 104. (a) There is hereby established, with its principal office in the District of Columbia, an agency of the Government which shall be known as the Economic Cooperation Administration, hereinafter referred to as the Administration. The Administration shall be headed by an Administrator for Economic Cooperation, hereinafter referred to as the Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $20,000 per annum. The Administrator shall be responsible to the President and shall have a status in the executive branch of the Government comparable to that of the head of an executive department. Except as otherwise provided in this title, the administration of the provisions of this title is hereby vested in the Administrator and his functions shall be performed under the control of the President.

Deputy Administrator.

(b) There shall be in the Administration a Deputy Administrator for Economic Cooperation who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $17,500 per annum. The Deputy Administrator for Economic Cooperation shall perform such functions as the Administrator shall designate, and shall be Acting Administrator for Economic Cooperation during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

Interim authority of the President.

(c) The President is authorized, pending the appointment and qualification of the first Administrator or Deputy Administrator for Economic Cooperation appointed hereunder, to provide, for a period of not to exceed thirty days after the date of enactment of this Act, for the performance of the functions of the Administrator under this title through such departments, agencies, or establishments of the United States Government as he may direct. In the event the President nominates an Administrator or Deputy Administrator prior to the expiration of such thirty-day period, the authority conferred upon the President by this subsection shall be extended beyond such thirty-day period but only until an Administrator or Deputy Administrator qualifies and takes office.

Creation of corporation.

(d) (1) The Administrator, with the approval of the President, is hereby authorized and empowered to create a corporation with such powers as the Administrator may deem necessary or appropriate for the accomplishment of the purposes of this title.

Powers, etc.

(2) If a corporation is created under this section—

(i) it shall have the power to sue and be sued, to acquire, hold, and dispose of property, to use its revenues, to determine the character of any necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed and paid, and to exercise such other powers as may be necessary or appropriate to carry out the purposes of the corporation;

(ii) its powers shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charter shall be valid only when similarly filed and published;

(iii) it shall not have succession beyond June 30, 1952, except for purposes of liquidation, unless its life is extended beyond such date pursuant to Act of Congress; and

(iv) it shall be subject to the Government Corporation Control Act to the same extent as wholly owned Government corporations listed in section 101 of such Act.

59 Stat. 597.
31 U. S. C. §§ 841-869; Supp. I, §§ 846 note, 849.

(3) All capital stock of the corporation shall be of one class, be issued for cash only, and be subscribed for by the Administrator. Payment for such capital stock shall be made from funds available for the purposes of this title.

Post, p. 1233.
Capital stock.

Employment of personnel.

(e) Any department, agency, or establishment of the Government (including, whenever used in this title, any corporation which is an instrumentality of the United States) performing functions under this title is authorized to employ, for duty within the continental limits of the United States, such personnel as may be necessary to carry out the provisions and purposes of this title, and funds available pursuant to section 114 of this title shall be available for personal services in the District of Columbia and elsewhere without regard to section 14 (a) of the Federal Employees Pay Act of 1946 (60 Stat. 219). Of such personnel employed by the Administration, not to exceed one hundred may be compensated without regard to the provisions of the Classification Act of 1923, as amended, of whom not more

Post, p. 149.

5 U. S. C. § 947 (g).

42 Stat. 1488.
5 U. S. C. §§ 661-674.

than twenty-five may be compensated at a rate in excess of $10,000 per annum, but not in excess of $15,000 per annum. Experts and consultants or organizations thereof, as authorized by section 15 of the Act of August 2, 1946 (U. S. C., title 5, sec. 55a), may be employed by the Administration, and individuals so employed may be compensated at rates not in excess of $50 per diem and while away from their homes or regular places of business, they may be paid actual travel expenses and not to exceed $10 per diem in lieu of subsistence and other expenses while so employed.

Experts and consultants.

60 Stat. 810.

(f) The Administrator may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out his functions under this title, and he may delegate authority to perform any of such functions to his subordinates, acting under his direction and under rules and regulations promulgated by him.

Rules and regulations.

GENERAL FUNCTIONS OF ADMINISTRATOR

SEC. 105. (a) The Administrator, under the control of the President, shall in addition to all other functions vested in him by this title—

(1) review and appraise the requirements of participating countries for assistance under the terms of this title;

(2) formulate programs of United States assistance under this title, including approval of specific projects which have been submitted to him by the participating countries;

(3) provide for the efficient execution of any such programs as may be placed in operation; and

(4) terminate provision of assistance or take other remedial action as provided in section 118 of this title.

Post, p. 154.

(b) In order to strengthen and make more effective the conduct of the foreign relations of the United States—

Cooperation between Administrator and Secretary of State.

(1) the Administrator and the Secretary of State shall keep each other fully and currently informed on matters, including prospective action, arising within the scope of their respective duties which are pertinent to the duties of the other;

(2) whenever the Secretary of State believes that any action, proposed action, or failure to act on the part of the Administrator is inconsistent with the foreign-policy objectives of the United States, he shall consult with the Administrator and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision;

(3) whenever the Administrator believes that any action, proposed action, or failure to act on the part of the Secretary of State in performing functions under this title is inconsistent with the purposes and provisions of this title, he shall consult with the Secretary of State and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

Export authority.

(c) The Administrator and the department, agency, or officer in the executive branch of the Government exercising the authority granted to the President by section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, shall keep each other fully and currently informed on matters, including prospective action, arising within the scope of their respective duties which are pertinent to the duties of the other. Whenever the Administrator believes that any action, proposed action, or failure to act on the part of such department, agency, or officer in performing functions under this title is inconsistent with the purposes and provisions of this title, he shall consult with such department, agency, or officer and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

50 U. S. C. app. § 701; Supp. I, § 701.

NATIONAL ADVISORY COUNCIL

SEC. 106. Section 4 (a) of the Bretton Woods Agreements Act (59 Stat. 512, 513) is hereby amended to read as follows: 22 U. S. C. § 286b (a).

"SEC. 4. (a) In order to coordinate the policies and operations of the representatives of the United States on the Fund and the Bank and of all agencies of the Government which make or participate in making foreign loans or which engage in foreign financial, exchange or monetary transactions, there is hereby established the National Advisory Council on International Monetary and Financial Problems (hereinafter referred to as the 'Council'), consisting of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, the Chairman of the Board of Directors of the Export-Import Bank of Washington, and during such period as the Economic Cooperation Administration shall continue to exist, the Administrator for Economic Cooperation." Composition.

PUBLIC ADVISORY BOARD

SEC. 107. (a) There is hereby created a Public Advisory Board, hereinafter referred to as the Board, which shall advise and consult with the Administrator with respect to general or basic policy matters arising in connection with the Administrator's discharge of his responsibilities. The Board shall consist of the Administrator, who shall be Chairman, and not to exceed twelve additional members to be appointed by the President, by and with the advice and consent of the Senate, and who shall be selected from among citizens of the United States of broad and varied experience in matters affecting the public interest, other than officers and employees of the United States (including any agency or instrumentality of the United States) who, as such, regularly receive compensation for current services. The Board shall meet at least once a month and at other times upon the call of the Administrator or when three or more members of the Board request the Administrator to call a meeting. Not more than a majority of two of the members shall be appointed to the Board from the same political party. Members of the Board, other than the Administrator, shall receive, out of funds made available for the purposes of this title, a per diem allowance of $50 for each day spent away from their homes or regular places of business, for the purpose of attendance at meetings of the Board, or at conferences held upon the call of the Administrator, and in necessary travel, and while so engaged, they may be paid actual travel expenses and not to exceed $10 per diem in lieu of subsistence and other expenses. Members. Meetings. Political affiliations. Per diem allowance. Travel expenses.

(b) The Administrator may appoint such other advisory committees as he may determine to be necessary or desirable to effectuate the purposes of this title. Other advisory committees.

UNITED STATES SPECIAL REPRESENTATIVE ABROAD

SEC. 108. There shall be a United States Special Representative in Europe who shall (a) be appointed by the President, by and with the advice and consent of the Senate, (b) be entitled to receive the same compensation and allowances as a chief of mission, class 1, within the meaning of the Act of August 13, 1946 (60 Stat. 999), and (c) have the rank of ambassador extraordinary and plenipotentiary. He shall be the representative of the Administrator, and shall also be the chief representative of the United States Government to any organization of participating countries which may be established by such countries to further a joint program for European recovery, and shall discharge Appointment. 22 U. S. C. § 801 *et seq.*

in Europe such additional responsibilities as may be assigned to him with the approval of the President in furtherance of the purposes of this title. He may also be designated as the United States representative on the Economic Commission for Europe. He shall receive his instructions from the Administrator and such instructions shall be prepared and transmitted to him in accordance with procedures agreed to between the Administrator and the Secretary of State in order to assure appropriate coordination as provided by subsection (b) of section 105 of this title. He shall coordinate the activities of the chiefs of special missions provided for in section 109 of this title. He shall keep the Administrator, the Secretary of State, the chiefs of the United States diplomatic missions, and the chiefs of the special missions provided for in section 109 of this title currently informed concerning his activities. He shall consult with the chiefs of all such missions, who shall give him such cooperation as he may require for the performance of his duties under this title.

Ante, p. 140.
Infra.

SPECIAL ECA MISSIONS ABROAD

SEC. 109. (a) There shall be established for each participating country, except as provided in subsection (d) of this section, a special mission for economic cooperation under the direction of a chief who shall be responsible for assuring the performance within such country of operations under this title. The chief shall be appointed by the Administrator, shall receive his instructions from the Administrator, and shall report to the Administrator on the performance of the duties assigned to him. The chief of the special mission shall take rank immediately after the chief of the United States diplomatic mission in such country.

Chief of special mission.

(b) The chief of the special mission shall keep the chief of the United States diplomatic mission fully and currently informed on matters, including prospective action, arising within the scope of the operations of the special mission and the chief of the diplomatic mission shall keep the chief of the special mission fully and currently informed on matters relative to the conduct of the duties of the chief of the special mission. The chief of the United States diplomatic mission will be responsible for assuring that the operations of the special mission are consistent with the foreign-policy objectives of the United States in such country and to that end whenever the chief of the United States diplomatic mission believes that any action, proposed action, or failure to act on the part of the special mission is inconsistent with such foreign-policy objectives, he shall so advise the chief of the special mission and the United States Special Representative in Europe. If differences of view are not adjusted by consultation, the matter shall be referred to the Secretary of State and the Administrator for decision.

Cooperation with U. S. diplomatic mission.

(c) The Secretary of State shall provide such office space, facilities, and other administrative services for the United States Special Representative in Europe and his staff, and for the special mission in each participating country, as may be agreed between the Secretary of State and the Administrator.

Office space, etc.

(d) With respect to any of the zones of occupation of Germany and of the Free Territory of Trieste, during the period of occupation, the President shall make appropriate administrative arrangements for the conduct of operations under this title, in order to enable the Administrator to carry out his responsibility to assure the accomplishment of the purposes of this title.

Zones of occupation of Germany and Trieste.

PERSONNEL OUTSIDE UNITED STATES

SEC. 110. (a) For the purpose of performing functions under this title outside the continental limits of the United States the Administrator may—

(1) employ persons who shall receive compensation at any of the rates provided for the Foreign Service Reserve and Staff by the Foreign Service Act of 1946 (60 Stat. 999), together with allowances and benefits established thereunder; and

22 U. S. C. § 801 *et seq.*

(2) recommend the appointment or assignment of persons, and the Secretary of State may appoint or assign such persons, to any class in the Foreign Service Reserve or Staff for the duration of operations under this title, and the Secretary of State may assign, transfer, or promote such persons upon the recommendation of the Administrator. Persons so appointed to the Foreign Service Staff shall be entitled to the benefits of section 528 of the Foreign Service Act of 1946.

60 Stat. 1010. 22 U. S. C. § 928.

(b) For the purpose of performing functions under this title outside the continental limits of the United States, the Secretary of State may, at the request of the Administrator, appoint, for the duration of operations under this title, alien clerks and employees in accordance with applicable provisions of the Foreign Service Act of 1946 (60 Stat. 999).

Alien employees.

22 U. S. C. § 801 *et seq.*

(c) No citizen or resident of the United States may be employed, or if already employed, may be assigned to duties by the Secretary of State or the Administrator under this title for a period to exceed three months unless such individual has been investigated as to loyalty and security by the Federal Bureau of Investigation and a report thereon has been made to the Secretary of State and the Administrator, and until the Secretary of State or the Administrator has certified in writing (and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs) that, after full consideration of such report, he believes such individual is loyal to the United States, its Constitution, and form of government, and is not now and has never been a member of any organization advocating contrary views. This subsection shall not apply in the case of any officer appointed by the President by and with the advice and consent of the Senate.

Loyalty and security investigations.

Report.

Nonapplicability.

NATURE AND METHOD OF ASSISTANCE

SEC. 111. (a) The Administrator may, from time to time, furnish assistance to any participating country by providing for the performance of any of the functions set forth in paragraphs (1) through (5) of this subsection when he deems it to be in furtherance of the purposes of this title, and upon the terms and conditions set forth in this title and such additional terms and conditions consistent with the provisions of this title as he may determine to be necessary and proper.

(1) Procurement from any source, including Government stocks on the same basis as procurement by Government agencies under Public Law 375 (Seventy-ninth Congress) for their own use, of any commodity which he determines to be required for the furtherance of the purposes of this title. As used in this title, the term "commodity" means any commodity, material, article, supply, or goods necessary for the purposes of this title.

Procurement of commodities.

60 Stat. 168. 50 U. S. C. app. §§ 1621, 1622, 1625, 1627; Supp. I, § 1622, *Post*, pp. 350, 1103. "Commodity."

(2) Processing, storing, transporting, and repairing any commodities, or performing any other services with respect to a participating country which he determines to be required for accomplishing the purposes of this title. The Administrator shall, in providing for the procurement of commodities under authority of this title, take such steps as may be necessary to assure, so far as is practicable, that at least 50 per centum of the gross tonnage of commodities, procured within the United States out of funds made available under this title and transported abroad on ocean vessels, is so transported on United States flag vessels to the extent such vessels are available at market rates.

Transportation on U. S. vessels.

Technical information.
Post, p. 1055.

(3) Procurement of and furnishing technical information and assistance.

Transfer of commodity.

(4) Transfer of any commodity or service, which transfer shall be signified by delivery of the custody and right of possession and use of such commodity, or otherwise making available any such commodity, or by rendering a service to a participating country or to any agency or organization representing a participating country.

Allocation of commodities.

(5) The allocation of commodities or services to specific projects designed to carry out the purposes of this title, which have been submitted to the Administrator by participating countries and have been approved by him.

Private trade channels.

(b) In order to facilitate and maximize the use of private channels of trade, subject to adequate safeguards to assure that all expenditures in connection with such procurement are within approved programs in accordance with terms and conditions established by the Administrator, he may provide for the performance of any of the functions described in subsection (a) of this section—

Accounts.

(1) by establishing accounts against which, under regulations prescribed by the Administrator—

Letters of commitment.

(i) letters of commitment may be issued in connection with supply programs approved by the Administrator (and such letters of commitment, when issued, shall constitute obligations of the United States and monies due or to become due thereunder shall be assignable under the Assignment of Claims Act of 1940 and shall constitute obligations of applicable appropriations); and

54 Stat. 1029.
31 U. S. C. § 203; 41 U. S. C. § 15.
Withdrawals.

(ii) withdrawals may be made by participating countries, or agencies or organizations representing participating countries or by other persons or organizations, upon presentation of contracts, invoices, or other documentation specified by the Administrator under arrangements prescribed by the Administrator to assure the use of such withdrawals for purposes approved by the Administrator.

Such accounts may be established on the books of the Administration, or any other department, agency, or establishment of the Government specified by the Administrator, or, on terms and conditions approved by the Secretary of the Treasury, in banking institutions in the United States. Expenditures of funds which have been made available through accounts so established shall be accounted for on standard documentation required for expenditures of Government funds: *Provided*, That such expenditures for commodities or services procured outside the continental limits of the United States under authority of this section may be accounted for exclusively on such certification as the Administrator may prescribe in regulations promulgated by him with the approval of the Comptroller General of the United States to assure expenditure in furtherance of the purposes of this title.

Commodities procured outside continental U. S.

Services of departments, agencies, etc.

(2) by utilizing the services and facilities of any department, agency, or establishment of the Government as the President shall direct, or with the consent of the head of such department, agency, or establishment, or, in the President's discretion, by acting in cooperation with the United Nations or with other international organizations or with agencies of the participating countries, and funds allocated pursuant to this section to any department, agency, or establishment of the Government shall be established in separate appropriation accounts on the books of the Treasury.

Guaranties.
Post, p. 1056.

(3) by making, under rules and regulations to be prescribed by the Administrator, guaranties to any person of investments in connection with projects approved by the Administrator and

the participating country concerned as furthering the purposes of this title (including guaranties of investments in enterprises producing or distributing informational media: *Provided*, That the amount of such guaranties in the first year after the date of the enactment of this Act does not exceed $15,000,000), which guaranties shall terminate not later than fourteen years from the date of enactment of this Act: *Provided*, That— Limitation on amount.

(i) the guaranty to any person shall not exceed the amount of dollars invested in the project by such person with the approval of the Administrator and shall be limited to the transfer into United States dollars of other currencies, or credits in such currencies, received by such person as income from the approved investment, as repayment or return thereof, in whole or in part, or as compensation for the sale or disposition of all or any part thereof: *Provided*, That, when any payment is made to any person under authority of this paragraph, such currencies, or credits in such currencies, shall become the property of the United States Government; Credit in currencies.

(ii) the Administrator may charge a fee in an amount determined by him not exceeding 1 per centum per annum of the amount of each guaranty, and all fees collected hereunder shall be available for expenditure in discharge of liabilities under guaranties made under this paragraph until such time as all such liabilities have been discharged or have expired, or until all such fees have been expended in accordance with the provisions of this paragraph; and Fees.

(iii) as used in this paragraph, the term "person" means a citizen of the United States or any corporation, partnership, or other association created under the law of the United States or of any State or Territory and substantially beneficially owned by citizens of the United States. "Person."

The total amount of the guaranties made under this paragraph (3) shall not exceed $300,000,000, and as such guaranties are made the authority to realize funds from the sale of notes for the purpose of allocating funds to the Export-Import Bank of Washington under paragraph (2) of subsection (c) of this section shall be accordingly reduced. Any payments made to discharge liabilities under guaranties issued under paragraph (3) of this subsection shall be paid out of fees collected under subparagraph (ii) of paragraph (3) of this subsection as long as such fees are available, and thereafter shall be paid out of funds realized from the sale of notes which shall be issued under authority of paragraph (2) of subsection (c) of this section when necessary to discharge liabilities under any such guaranty. Total guaranties.

(c) (1) The Administrator may provide assistance for any participating country, in the form and under the procedures authorized in subsections (a) and (b), respectively, of this section, through grants or upon payment in cash, or on credit terms, or on such other terms of payment as he may find appropriate, including payment by the transfer to the United States (under such terms and in such quantities as may be agreed to between the Administrator and the participating country) of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources. In determining whether such assistance shall be through grants or upon terms of payment, and in determining the terms of payment, he shall act in consultation with the National Advisory Council on International Monetary and Financial Problems, and the determination whether or not a participating country should be required to make payment for any assistance furnished to such country in furtherance Form of assistance.

of the purposes of this title, and the terms of such payment, if required, shall depend upon the character and purpose of the assistance and upon whether there is reasonable assurance of repayment considering the capacity of such country to make such payments without jeopardizing the accomplishment of the purposes of this title.

Credit assistance.

(2) When it is determined that assistance should be extended under the provisions of this title on credit terms, the Administrator shall allocate funds for the purpose to the Export-Import Bank of Washington, which shall, notwithstanding the provisions of the Export-Import Bank Act of 1945 (59 Stat. 526), as amended, make and administer the credit on terms specified by the Administrator in consultation with the National Advisory Council on International Monetary and Financial Problems. The Administrator is authorized to issue notes from time to time for purchase by the Secretary of the Treasury in an amount not exceeding in the aggregate $1,000,000,000 (i) for the purpose of allocating funds to the Export-Import Bank of Washington under this paragraph during the period of one year following the date of enactment of this Act and (ii) for the purpose of carrying out the provisions of paragraph (3) of subsection (b) of this section until all liabilities arising under guaranties made pursuant to such paragraph (3) have expired or have been discharged. Such notes shall be redeemable at the option of the Administrator before maturity in such manner as may be stipulated in such notes and shall have such maturity as may be determined by the Administrator with the approval of the Secretary of the Treasury. Each such note shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the note. Payment under this paragraph of the purchase price of such notes and repayments thereof by the Administrator shall be treated as public-debt transactions of the United States. In allocating funds to the Export-Import Bank of Washington under this paragraph, the Administrator shall first utilize such funds realized from the sale of notes authorized by this paragraph as he determines to be available for this purpose, and when such funds are exhausted, or after the end of one year from the date of enactment of this Act, whichever is earlier, he shall utilize any funds appropriated under this title. The Administrator shall make advances to, or reimburse, the Export-Import Bank of Washington for necessary administrative expenses in connection with such credits. Credits made by the Export-Import Bank of Washington with funds so allocated to it by the Administrator shall not be considered in determining whether the Bank has outstanding at any one time loans and guaranties to the extent of the limitation imposed by section 7 of the Export-Import Bank Act of 1945 (59 Stat. 529), as amended. Amounts received in repayment of principal and interest on any credits made under this paragraph shall be deposited into miscellaneous receipts of the Treasury: *Provided*, That, to the extent required for such purpose, amounts received in repayment of principal and interest on any credits made out of funds realized from the sale of notes authorized under this paragraph shall be deposited into the Treasury for the purpose of the retirement of such notes.

12 U. S. C. §§ 635–635h; Supp. I, §§ 635, 635d, 635f, 635i.

Issuance of notes.

Redemption of notes.

Interest.

Public-debt transactions.

Allocation of funds.

Administrative expenses in connection with credits.

12 U. S. C. § 635e.

Retirement of notes.

PROTECTION OF DOMESTIC ECONOMY

SEC. 112. (a) The Administrator shall provide for the procurement in the United States of commodities under this title in such a way as to (1) minimize the drain upon the resources of the United States and the impact of such procurement upon the domestic economy, and (2) avoid impairing the fulfillment of vital needs of the people of the United States.

Petroleum and petroleum products.

(b) The procurement of petroleum and petroleum products under this title shall, to the maximum extent practicable, be made from petroleum sources outside the United States; and, in furnishing commodities under the provisions of this title, the Administrator shall take fully into account the present and anticipated world shortage of petroleum and its products and the consequent undesirability of expansion in petroleum-consuming equipment where the use of alternate fuels or other sources of power is practicable.

Wheat and wheat flour.

(c) In order to assure the conservation of domestic grain supplies and the retention in the United States of byproduct feeds necessary to the maintenance of the agricultural economy of the United States, the amounts of wheat and wheat flour produced in the United States to be transferred by grant to the participating countries shall be so determined that the total quantity of United States wheat used to produce the wheat flour procured in the United States for transfer by grant to such countries under this title shall not be less than 25 per centum of the aggregate of the unprocessed wheat and wheat in the form of flour procured in the United States for transfer by grant to such countries under this title.

"Surplus agricultural commodity."

(d) The term "surplus agricultural commodity" as used in this section is defined as any agricultural commodity, or product thereof, produced in the United States which is determined by the Secretary of Agriculture to be in excess of domestic requirements. In providing for the procurement of any such surplus agricultural commodity for transfer by grant to any participating country in accordance with the requirements of such country, the Administrator shall, insofar as practicable and where in furtherance of the purposes of this title, give effect to the following:

Procurement within United States.

Transfer from one country to another.

(1) The Administrator shall authorize the procurement of any such surplus agricultural commodity only within the United States: *Provided*, That this restriction shall not be applicable (i) to any agricultural commodity, or product thereof, located in one participating country, and intended for transfer to another participating country, if the Administrator, in consultation with the Secretary of Agriculture, determines that such procurement and transfer is in furtherance of the purposes of this title, and would not create a burdensome surplus in the United States or seriously prejudice the position of domestic producers of such surplus agricultural commodities, or (ii) if, and to the extent that any such surplus agricultural commodity is not available in the United States in sufficient quantities to supply the requirements of the participating countries under this title.

(2) In providing for the procurement of any such surplus agricultural commodity, the Administrator shall, insofar as practicable and applicable, and after giving due consideration to the excess of any such commodity over domestic requirements, and to the historic reliance of United States producers of any such surplus agricultural commodity upon markets in the participating countries, provide for the procurement of each class or type of any such surplus agricultural commodity in the approximate proportion that the Secretary of Agriculture determines such classes or types bear to the total amount of excess of such surplus agricultural commodity over domestic requirements.

Surpluses acquired by CCC.

(e) Whenever the Secretary of Agriculture determines that any quantity of any surplus agricultural commodity, heretofore or hereafter acquired by Commodity Credit Corporation in the administration of its price-support programs, is available for use in furnishing assistance to foreign countries, he shall so advise all departments, agencies, and establishments of the Government administering laws providing for the furnishing of assistance or relief to foreign countries (including occupied or liberated countries or areas of such countries).

Thereafter the department, agency, or establishment administering any such law shall, to the maximum extent practicable, consistent with the provisions and in furtherance of the purposes of such law, and where for transfer by grant and in accordance with the requirements of such foreign country, procure or provide for the procurement of such quantity of such surplus agricultural commodity. The sales price paid as reimbursement to Commodity Credit Corporation for any such surplus agricultural commodity shall be in such amount as Commodity Credit Corporation determines will fully reimburse it for the cost to it of such surplus agricultural commodity at the time and place such surplus agricultural commodity is delivered by it, but in no event shall the sales price be higher than the domestic market price at such time and place of delivery as determined by the Secretary of Agriculture, and the Secretary of Agriculture may pay not to exceed 50 per centum of such sales price as authorized by subsection (f) of this section.

Sales price.

(f) Subject to the provisions of this section, but notwithstanding any other provision of law, in order to encourage utilization of surplus agricultural commodities pursuant to this or any other Act providing for assistance or relief to foreign countries, the Secretary of Agriculture, in carrying out the purposes of clause (1), section 32, Public Law 320, Seventy-fourth Congress, as amended, may make payments, including payments to any government agency procuring or selling such surplus agricultural commodities, in an amount not to exceed 50 per centum of the sales price (basis free along ship or free on board vessel, United States ports), as determined by the Secretary of Agriculture, of such surplus agricultural commodities. The rescission of the remainder of section 32 funds by the Act of July 30, 1947 (Public Law 266, Eightieth Congress), is hereby canceled and such funds are hereby made available for the purposes of section 32 for the fiscal year ending June 30, 1948.

49 Stat. 774.
7 U. S. C. § 612c(1); Supp. I, § 612c note.
Post, p. 1257.

Cancellation of rescission.

61 Stat. 550.
7 U. S. C., Supp. I, § 612c note.
Post, p. 1257.

(g) No export shall be authorized pursuant to authority conferred by section 6 of the Act of July 2, 1940 (54 Stat. 714), including any amendment thereto, of any commodity from the United States to any country wholly or partly in Europe which is not a participating country, if the department, agency, or officer in the executive branch of the Government exercising the authority granted to the President by section 6 of the Act of July 2, 1940, as amended, determines that the supply of such commodity is insufficient (or would be insufficient if such export were permitted) to fulfill the requirements of participating countries under this title as determined by the Administrator: *Provided, however*, That such export may be authorized if such department, agency, or officer determines that such export is otherwise in the national interest of the United States.

Restrictions on exports.
50 U. S. C. app. § 701; Supp. I, § 701.

(h) In providing for the performance of any of the functions described in subsection (a) of section 111, the Administrator shall, to the maximum extent consistent with the accomplishment of the purposes of this title, utilize private channels of trade.

Ante, p. 143.

REIMBURESMENT TO GOVERNMENT AGENCIES

SEC. 113. (a) The Administrator shall make reimbursement or payment, out of funds available for the purposes of this title, for any commodity, service, or facility procured under section 111 of this title from any department, agency, or establishment of the Government. Such reimbursement or payment shall be made to the owning or disposal agency, as the case may be, at replacement cost, or, if required by law, at actual cost, or at any other price authorized by law and agreed to between the Administrator and such agency. The amount

Ante, p. 143.

of any reimbursement or payment to an owning agency for commodities, services, or facilities so procured shall be credited to current applicable appropriations, funds, or accounts from which there may be procured replacements of similar commodities or such services or facilities: *Provided*, That such commodities, services, or facilities may be procured from an owning agency only with the consent of such agency: *And provided further*, That where such appropriations, funds, or accounts are not reimbursable except by reason of this subsection, and when the owning agency determines that replacement of any commodity procured under authority of this section is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

Disposal of commodity.

(b) The Administrator, whenever in his judgment the interests of the United States will best be served thereby, may dispose of any commodity procured out of funds made available for the purposes of this title, in lieu of transferring such commodity to a participating country, (1) by transfer of such commodity, upon reimbursement, to any department, agency, or establishment of the Government for use or disposal by such department, agency, or establishment as authorized by law, or (2) without regard to provisions of law relating to the disposal of Government-owned property, when necessary to prevent spoilage or wastage of such commodity or to conserve the usefulness thereof. Funds realized from such disposal or transfer shall revert to the respective appropriation or appropriations out of which funds were expended for the procurement of such commodity.

AUTHORIZATION OF APPROPRIATIONS

Advances by RFC.

SEC. 114. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (c) of this section, to make advances not to exceed in the aggregate $1,000,000,000 to carry out the provisions of this title, in such manner, at such time, and in such amounts as the President shall determine, and no interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose. The Reconstruction Finance Corporation shall be repaid without interest for advances made by it hereunder, from funds made available for the purposes of this title.

Unexpended balances.

(b) Such part as the President may determine of the unobligated and unexpended balances of appropriations or other funds available for the purposes of the Foreign Aid Act of 1947 shall be available for the purpose of carrying out the purposes of this title.

61 Stat. 934.
22 U. S. C., Supp. I, § 1411 and note.
Ante, p. 109.

(c) In order to carry out the provisions of this title with respect to those participating countries which adhere to the purposes of this title, and remain eligible to receive assistance hereunder, such funds shall be available as are hereafter authorized and appropriated to the President from time to time through June 30, 1952, to carry out the provisions and accomplish the purposes of this title: *Provided, however*, That for carrying out the provisions and accomplishing the purposes of this title for the period of one year following the date of enactment of this Act, there are hereby authorized to be so appropriated not to exceed $4,300,000,000. Nothing in this title is intended nor shall it be construed as an express or implied commitment to provide any specific assistance, whether of funds, commodities, or services, to any country or countries. The authorization in this title is limited to the period of twelve months in order that subsequent Congresses may pass on any subsequent authorizations.

Post, p. 1055.

Appropriation authorized.

Necessary expenses.

(d) Funds made available for the purposes of this title shall be

available for incurring and defraying all necessary expenses incident to carrying out the provisions of this title, including administrative expenses and expenses for compensation, allowances and travel of personnel, including Foreign Service personnel whose services are utilized primarily for the purposes of this title, and, without regard to the provisions of any other law, for printing and binding, and for expenditures outside the continental limits of the United States for the procurement of supplies and services and for other administrative purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of government funds, as the Administrator shall specify in the interest of the accomplishment of the purposes of this title.

Merger of deposits.

(e) The unencumbered portions of any deposits which may have been made by any participating country pursuant to section 6 of the joint resolution providing for relief assistance to the people of countries devastated by war (Public Law 84, Eightieth Congress) and section 5 (b) of the Foreign Aid Act of 1947 (Public Law 389, Eightieth Congress) may be merged with the deposits to be made by such participating country in accordance with section 115 (b) (6) of this title, and shall be held or used under the same terms and conditions as are provided in section 115 (b) (6) of this title.

61 Stat. 128, 936. 22 U. S. C., Supp. I, §§ 1416, 1411 note.

Post, p. 151.

Foreign Economic Cooperation Trust Fund.

(f) In order to reserve some part of the surplus of the fiscal year 1948 for payments thereafter to be made under this title, there is hereby created on the books of the Treasury of the United States a trust fund to be known as the Foreign Economic Cooperation Trust Fund. Notwithstanding any other provision of law, an amount of $3,000,000,000, out of sums appropriated pursuant to the authorization contained in this title shall, when appropriated, be transferred immediately to the trust fund, and shall thereupon be considered as expended during the fiscal year 1948, for the purpose of reporting governmental expenditures. The Secretary of the Treasury shall be the sole trustee of the trust fund and is authorized and directed to pay out of the fund such amounts as the Administrator shall duly requisition. The first expenditures made out of the appropriations authorized under this title in the fiscal year 1949 shall be made with funds requisitioned by the Administrator out of the trust fund until the fund is exhausted, at which time such fund shall cease to exist. The provisions of this subsection shall not be construed as affecting the application of any provision of law which would otherwise govern the obligation of funds so appropriated or the auditing or submission of accounts of transactions with respect to such funds.

Transfer of funds.

Trustee.

BILATERAL AND MULTILATERAL UNDERTAKINGS

SEC. 115. (a) The Secretary of State, after consultation with the Administrator, is authorized to conclude, with individual participating countries or any number of such countries or with an organization representing any such countries, agreements in furtherance of the purposes of this title. The Secretary of State, before an Administrator or Deputy Administrator shall have qualified and taken office, is authorized to negotiate and conclude such temporary agreements in implementation of subsection (b) of this section as he may deem necessary in furtherance of the purposes of this title: *Provided*, That when an Administrator or Deputy Administrator shall have qualified and taken office, the Secretary of State shall conclude the basic agreements required by subsection (b) of this section only after consultation with the Administrator or Deputy Administrator, as the case may be.

Temporary agreements.

Basic agreements.

Continued mutual cooperation.

(b) The provision of assistance under this title results from the multilateral pledges of the participating countries to use all their

efforts to accomplish a joint recovery program based upon self-help and mutual cooperation as embodied in the report of the Committee of European Economic Cooperation signed at Paris on September 22, 1947, and is contingent upon continuous effort of the participating countries to accomplish a joint recovery program through multilateral undertakings and the establishment of a continuing organization for this purpose. In addition to continued mutual cooperation of the participating countries in such a program, each such country shall conclude an agreement with the United States in order for such country to be eligible to receive assistance under this title. Such agreement shall provide for the adherence of such country to the purposes of this title and shall, where applicable, make appropriate provision, among others, for—

Bilateral agreements.

(1) promoting industrial and agricultural production in order to enable the participating country to become independent of extraordinary outside economic assistance; and submitting for the approval of the Administrator, upon his request and whenever he deems it in furtherance of the purposes of this title, specific projects proposed by such country to be undertaken in substantial part with assistance furnished under this title, which projects, whenever practicable, shall include projects for increased production of coal, steel, transportation facilities, and food;

Industrial and agricultural production.

(2) taking financial and monetary measures necessary to stabilize its currency, establish or maintain a valid rate of exchange, to balance its governmental budget as soon as practicable, and generally to restore or maintain confidence in its monetary system;

Financial and monetary measures.

(3) cooperating with other participating countries in facilitating and stimulating an increasing interchange of goods and services among the participating countries and with other countries and cooperating to reduce barriers to trade among themselves and with other countries;

Trade.

(4) making efficient and practical use, within the framework of a joint program for European recovery, of the resources of such participating country, including any commodities, facilities, or services furnished under this title, which use shall include, to the extent practicable, taking measures to locate and identify and put into appropriate use, in furtherance of such program, assets, and earnings therefrom, which belong to the citizens of such country and which are situated within the United States, its Territories and possessions;

Use of resources.

(5) facilitating the transfer to the United States by sale, exchange, barter, or otherwise for stock-piling or other purposes, for such period of time as may be agreed to and upon reasonable terms and in reasonable quantities, of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources, and which may be available in such participating country after due regard for reasonable requirements for domestic use and commercial export of such country;

Transfer of materials to U. S.

(6) placing in a special account a deposit in the currency of such country, in commensurate amounts and under such terms and conditions as may be agreed to between such country and the Government of the United States, when any commodity or service is made available through any means authorized under this title, and is furnished to the participating country on a grant basis. Such special account, together with the unencumbered portions of any deposits which may have been made by such country pursuant to section 6 of the joint resolution providing for relief assistance to the people of countries devastated by war (Public Law 84, Eightieth Congress) and section 5 (b) of the

Special account.
Post, p. 1055.

61 Stat. 128.
22 U. S. C., Supp. I, § 1416.

61 Stat. 936.
22 U. S. C., Supp. I, § 1411 note.

Foreign Aid Act of 1947 (Public Law 389, Eightieth Congress), shall be held or used within such country for such purposes as may be agreed to between such country and the Administrator in consultation with the National Advisory Council on International Monetary and Financial Problems, and the Public Advisory Board provided for in section 107 (a) for purposes of internal monetary and financial stabilization, for the stimulation of productive activity and the exploration for and development of new sources of wealth, or for such other expenditures as may be consistent with the purposes of this title, including local currency administrative expenditures of the United States incident to operations under this title, and under agreement that any unencumbered balance remaining in such account on June 30, 1952, shall be disposed of within such country for such purposes as may, subject to approval by Act or joint resolution of the Congress, be agreed to between such country and the Government of the United States;

Ante, p. 141.

Quarterly statements.

(7) publishing in such country and transmitting to the United States, not less frequently than every calendar quarter after the date of the agreement, full statements of operations under the agreement, including a report of the use of funds, commodities, and services received under this title;

Information.

(8) furnishing promptly, upon request of the United States, any relevant information which would be of assistance to the United States in determining the nature and scope of operations and the use of assistance provided under this title;

Schedules of availabilities, etc.

(9) recognizing the principle of equity in respect to the drain upon the natural resources of the United States and of the recipient countries, by agreeing to negotiate (a) a future schedule of minimum availabilities to the United States for future purchase and delivery of a fair share of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources at world market prices so as to protect the access of United States industry to an equitable share of such materials either in percentages of production or in absolute quantities from the participating countries, and (b) suitable protection for the right of access for any person as defined in paragraph (iii) of subparagraph (3) of section 111 (b) in the development of such materials on terms of treatment equivalent to those afforded to the nationals of the country concerned, and (c) an agreed schedule of increased production of such materials where practicable in such participating countries and for delivery of an agreed percentage of such increased production to be transferred to the United States on a long-term basis in consideration of assistance furnished by the Administrator to such countries under this title; and

Ante, p. 145.

Submission of cases to International Court of Justice, etc.

(10) submitting for the decision of the International Court of Justice or of any arbitral tribunal mutually agreed upon any case espoused by the United States Government involving compensation of a national of the United States for governmental measures affecting his property rights, including contracts with or concessions from such country.

Interim performance of functions.

(c) Notwithstanding the provisions of subsection (b) of this section, the Administrator, during the three months after the date of enactment of this Act, may perform with respect to any participating country any of the functions authorized under this title which he may determine to be essential in furtherance of the purposes of this title, if (1) such country has signified its adherence to the purposes of this title and its intention to conclude an agreement pursuant to subsection (b) of this section, and (2) he finds that

such country is complying with the applicable provisions of subsection (b) of this section: *Provided*, That, notwithstanding the provisions of this subsection, the Administrator may, through June 30, 1948, provide for the transfer of food, medical supplies, fibers, fuel, petroleum and petroleum products, fertilizer, pesticides, and seed to any country of Europe which participated in the Committee of European Economic Cooperation and which undertook pledges to the other participants therein, when the Administrator determines that the transfer of any such supplies to any such country is essential in order to make it possible to carry out the purposes of this title by alleviating conditions of hunger and cold and by preventing serious economic retrogression.

Follow-up system.

(d) The Administrator shall encourage the joint organization of the participating countries referred to in subsection (b) of this section to ensure that each participating country makes efficient use of the resources of such country, including any commodities, facilities, or services furnished under this title, by observing and reviewing such use through an effective follow-up system approved by the joint organization.

Utilization of manpower.

(e) The Administrator shall encourage arrangements among the participating countries in conjunction with the International Refugee Organization looking toward the largest practicable utilization of manpower available in any of the participating countries in furtherance of the accomplishment of the purposes of this title.

Capital equipment in Germany.

(f) The Administrator will request the Secretary of State to obtain the agreement of those countries concerned that such capital equipment as is scheduled for removal as reparations from the three western zones of Germany be retained in Germany if such retention will most effectively serve the purposes of the European recovery program.

Prisoners of war.

(g) It is the understanding of the Congress that, in accordance with agreements now in effect, prisoners of war remaining in participating countries shall, if they so freely elect, be repatriated prior to January 1, 1949.

WESTERN HEMISPHERE COUNTRIES

SEC. 116. The President shall take appropriate steps to encourage all countries in the Western Hemisphere to make available to participating countries such assistance as they may be able to furnish.

OTHER DUTIES OF THE ADMINISTRATOR

Production increases.

SEC. 117. (a) The Administrator, in furtherance of the purposes of section 115 (b) (5), and in agreement with a participating country, shall, whenever practicable, promote, by means of funds made available for the purposes of this title, an increase in the production in such participating country of materials which are required by the United States as a result of deficiencies or potential deficiencies in the resources within the United States.

Ante, p. 151.

Travel by U. S. citizens.

(b) The Administrator, in cooperation with the Secretary of Commerce, shall facilitate and encourage, through private and public travel, transport, and other agencies, the promotion and development of travel by citizens of the United States to and within participating countries.

Voluntary contributions.

(c) In order to further the efficient use of United States voluntary contributions for relief in participating countries receiving assistance under this title in the form of grants or any of the zones of occupation of Germany for which assistance is provided under this title and the Free Territory of Trieste or either of its zones, funds made available for the purposes of this title shall be used insofar as practicable by the Administrator, under rules and regulations prescribed by him, to pay

ocean freight charges from a United States port to a designated foreign port of entry (1) of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid for operations in Europe, or (2) of relief packages conforming to such specified size, weight, and contents, as the Administrator may prescribe originating in the United States and consigned to an individual residing in a participating country receiving assistance under this title in the form of grants or any of the zones of occupation of Germany for which assistance is provided under this title and the Free Territory of Trieste or either of its zones. Where practicable the Administrator is directed to make an agreement with such country for the use of a portion of the deposit of local currency placed in a special account pursuant to paragraph 6 of subsection (b) of section 115 of this title, for the purpose of defraying the transportation cost of such supplies and relief packages from the port of entry of such country to the designated shipping point of consignee. The Secretary of State, after consultation with the Administrator, shall make agreements where practicable with the participating countries for the free entry of such supplies and relief packages.

Ante, p. 151.

Free entry of relief supplies.

Refusal of delivery of certain commodities.

(d) The Administrator is directed to refuse delivery insofar as practicable to participating countries of commodities which go into the production of any commodity for delivery to any nonparticipating European country which commodity would be refused export licenses to those countries by the United States in the interest of national security. Whenever the Administrator believes that the issuance of a license for the export of any commodity to any country wholly or partly in Europe which is not a participating country is inconsistent with the purposes and provisions of this title, he shall so advise the department, agency, or officer in the executive branch of the Government exercising the authority with respect to such commodity granted to the President by section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

50 U. S. C. app. § 701; Supp. I, § 701.

TERMINATION OF ASSISTANCE

SEC. 118. The Administrator, in determining the form and measure of assistance provided under this title to any participating country, shall take into account the extent to which such country is complying with its undertakings embodied in its pledges to other participating countries and in its agreement concluded with the United States under section 115. The Administrator shall terminate the provision of assistance under this title to any participating country whenever he determines that (1) such country is not adhering to its agreement concluded under section 115, or is diverting from the purposes of this title assistance provided hereunder, and that in the circumstances remedial action other than termination will not more effectively promote the purposes of this title or (2) because of changed conditions, assistance is no longer consistent with the national interest of the United States. Termination of assistance to any country under this section shall include the termination of deliveries of all supplies scheduled under the aid program for such country and not yet delivered.

Ante, p. 150.

EXEMPTION FROM CONTRACT AND ACCOUNTING LAWS

SEC. 119. When the President determines it to be in furtherance of the purposes of this title, the functions authorized under this title may be performed without regard to such provisions of law regulating the making, performance, amendment, or modification of contracts and the expenditure of Government funds as the President may specify.

EXEMPTION FROM CERTAIN FEDERAL LAWS RELATING TO EMPLOYMENT

SEC. 120. Service of an individual as a member of the Public Advisory Board (other than the Administrator) created by section 107 (a), as a member of an advisory committee appointed pursuant to section 107 (b), as an expert or consultant under section 104 (e), or as an expert, consultant, or technician under section 124 (d), shall not be considered as service or employment bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203), of section 190 of the Revised Statutes (U. S. C., title 5, sec. 99), or of section 19 (e) of the Contract Settlement Act of 1944, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

Ante, p. 141.
Ante, p. 139.
Post, p. 157.
Post, p. 863.
58 Stat. 668.
41 U. S. C. § 119; Supp. I, § 119 note.

UNITED NATIONS

SEC. 121. (a) The President is authorized to request the cooperation of or the use of the services and facilities of the United Nations, its organs and specialized agencies, or other international organizations, in carrying out the purposes of this title, and may make payments, by advancements or reimbursements, for such purposes, out of funds made available for the purposes of this title, as may be necessary therefor, to the extent that special compensation is usually required for such services and facilities. Nothing in this title shall be construed to authorize the Administrator to delegate to or otherwise confer upon any international or foreign organization or agency any of his authority to decide the method of furnishing assistance under this title to any participating country or the amount thereof.

(b) The President shall cause to be transmitted to the Secretary General of the United Nations copies of reports to Congress on the operations conducted under this title.

Copies of reports.

(c) Any agreements concluded between the United States and participating countries, or groups of such countries, in implementation of the purposes of this title, shall be registered with the United Nations if such registration is required by the Charter of the United Nations.

Registration of agreements with U. N.

TERMINATION OF PROGRAM

SEC. 122. (a) After June 30, 1952, or after the date of the passage of a concurrent resolution by the two Houses of Congress before such date, which declares that the powers conferred on the Administrator by or pursuant to subsection (a) of section 111 of this title are no longer necessary for the accomplishment of the purposes of this title, whichever shall first occur, none of the functions authorized under such provisions may be exercised; except that during the twelve months following such date commodities and services with respect to which the Administrator had, prior to such date, authorized procurement for, shipment to, or delivery in a participating country, may be transferred to such country, and funds appropriated under authority of this title may be obligated during such twelve-month period for the necessary expenses of procurement, shipment, delivery, and other activities essential to such transfer, and shall remain available during such period for the necessary expenses of liquidating operations under this title.

Ante, p. 143.

(b) At such time as the President shall find appropriate after such date, and prior to the expiration of the twelve months following such date, the powers, duties, and authority of the Administrator under this title may be transferred to such other departments, agencies, or

Transfer of authority.

establishments of the Government as the President shall specify, and the relevant funds, records, and personnel of the Administration may be transferred to the departments, agencies, or establishments to which the related functions are transferred.

REPORTS TO CONGRESS

SEC. 123. The President from time to time, but not less frequently than once every calendar quarter through June 30, 1952, and once every year thereafter until all operations under this title have been completed, shall transmit to the Congress a report of operations under this title, including the text of bilateral and multilateral agreements entered into in carrying out the provisions of this title. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

JOINT CONGRESSIONAL COMMITTEE

Joint Committee on Foreign Economic Cooperation.

SEC. 124. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Foreign Economic Cooperation (hereinafter referred to as the committee), to be composed of ten members as follows:

Members.

(1) Three members who are members of the Committee on Foreign Relations of the Senate, two from the majority and one from the minority party, to be appointed by the chairman of the committee; two members who are members of the Committee on Appropriations of the Senate, one from the majority and one from the minority party, to be appointed by the chairman of the committee; and

(2) Three members who are members of the Committee on Foreign Affairs of the House, two from the majority and one from the minority party, to be appointed by the chairman of the committee; and two members who are members of the Committee on Appropriations of the House, one from the majority and one from the minority party, to be appointed by the chairman of the committee.

Vacancy.

A vacancy in the membership of the committee shall be filled in the same manner as the original selection. The committee shall elect a chairman from among its members.

Duties.

(b) It shall be the function of the committee to make a continuous study of the programs of United States economic assistance to foreign countries, and to review the progress achieved in the execution and administration of such programs. Upon request, the committee shall aid the several standing committees of the Congress having legislative jurisdiction over any part of the programs of United States economic assistance to foreign countries; and it shall make a report to the Senate and the House of Representatives, from time to time, concerning the results of its studies, together with such recommendations as it may deem desirable. The Administrator, at the request of the committee, shall consult with the committee from time to time with respect to his activities under this Act.

Hearings.

(c) The committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems

advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this subsection.

2 U. S. C. §§ 192-194.

(d) The committee is authorized to appoint and, without regard to the Classification Act of 1923, as amended, fix the compensation of such experts, consultants, technicians, and organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman.

Appropriation authorized.
Post, pp. 213, 1027, 1056.

SEPARABILITY CLAUSE

SEC. 125. If any provision of this Act or the application of such provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances or persons shall not be affected thereby.

TITLE II

SEC. 201. This title may be cited as the "International Children's Emergency Fund Assistance Act of 1948".

International Children's Emergency Fund Assistance Act of 1948.

SEC. 202. It is the purpose of this title to provide for the special care and feeding of children by authorizing additional moneys for the International Children's Emergency Fund of the United Nations.

SEC. 203. The President is hereby authorized and directed any time after the date of the enactment of this Act and before July 1, 1949, to make contributions (a) from sums appropriated to carry out the purposes of this title and (b) from sums appropriated to carry out the general purposes of the proviso in the first paragraph of the first section of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress), as amended, to the International Children's Emergency Fund of the United Nations for the special care and feeding of children.

Contributions authorized.
Post, p. 1056.

61 Stat. 125.
22 U. S. C., Supp. I, § 1411.

SEC. 204. No contribution shall be made pursuant to this title or such joint resolution of May 31, 1947, which would cause the sum of (a) the aggregate amount contributed pursuant to this title and (b) the aggregate amount contributed by the United States pursuant to such joint resolution of May 31, 1947, to exceed whichever of the following sums is the lesser:

Restriction.

61 Stat. 125.
22 U. S. C., Supp. I, §§ 1411-1417.

(1) 72 per centum of the total resources contributed after May 31, 1947, by all governments, including the United States, for programs carried out under the supervision of such Fund: *Provided*, That in computing the amount of resources contributed there shall not be included contributions by any government for the benefit of persons located within the territory of such contributing government; or

(2) $100,000,000.

SEC. 205. Funds appropriated for the purposes of such joint resolution of May 31, 1947, shall remain available through June 30, 1949.

SEC. 206. There is hereby authorized to be appropriated to carry out the purposes of this title for the fiscal year ending June 30, 1949, the sum of $60,000,000.

Appropriation authorized.
Post, p. 1056.

TITLE III

SEC. 301. This title may be cited as the "Greek-Turkish Assistance Act of 1948".

Greek-Turkish Assistance Act of 1948.

Appropriation authorized.
Post, p. 1056.
22 U. S. C., Supp. I, § 1404.

SEC. 302. In addition to the amounts authorized to be appropriated under subsection (b) of section 4 of the Act of May 22, 1947 (61 Stat. 103), there are hereby authorized to be appropriated not to exceed $275,000,000 to carry out the provisions of such Act, as amended.

Advances by RFC.

SEC. 303. (a) Subsection (a) of section 4 of such Act of May 22, 1947, is hereby amended by adding at the end thereof the following: "The Reconstruction Finance Corporation is authorized and directed to make additional advances, not to exceed in the aggregate $50,000,000, to carry out the provisions of this Act, as amended, in such manner and in such amounts as the President shall determine. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose."

(b) Subsection (b) of section 4 of the said Act is hereby amended by inserting after the word "repaid" the following: "without interest".

61 Stat. 103.
22 U. S. C., Supp. I, § 1401.

SEC. 304. Subsections (2) and (3) of section 1 of such Act of May 22, 1947, are hereby amended to permit detailing of persons referred to in such subsections to the United States Missions to Greece and Turkey as well as to the governments of those countries. Section 302 of the Act of January 27, 1948 (Public Law 402, Eightieth Congress), and section 110 (c) of the Economic Cooperation Act of 1948 (relating to investigations of personnel by the Federal Bureau of Investigation) shall be applicable to any person so detailed pursuant to such subsection (2) of such Act of 1947: *Provided*, That any military or civilian personnel detailed under section 1 of such Act of 1947 may receive such station allowances or additional allowances as the President may prescribe (and payments of such allowances heretofore made are hereby validated).

Ante, p. 8.
Ante, p. 143.

Military or civilian personnel.

TITLE IV

China Aid Act of 1948.

SEC. 401. This title may be cited as the "China Aid Act of 1948".

SEC. 402. Recognizing the intimate economic and other relationships between the United States and China, and recognizing that disruption following in the wake of war is not contained by national frontiers, the Congress finds that the existing situation in China endangers the establishment of a lasting peace, the general welfare and national interest of the United States, and the attainment of the objectives of the United Nations. It is the sense of the Congress that the further evolution in China of principles of individual liberty, free institutions, and genuine independence rests largely upon the continuing development of a strong and democratic national government as the basis for the establishment of sound economic conditions and for stable international economic relationships. Mindful of the advantages which the United States has enjoyed through the existence of a large domestic market with no internal trade barriers, and believing that similar advantages can accrue to China, it is declared to be the policy of the people of the United States to encourage the Republic of China and its people to exert sustained common efforts which will speedily achieve the internal peace and economic stability in China which are essential for lasting peace and prosperity in the world. It is further declared to be the policy of the people of the United States to encourage the Republic of China in its efforts to maintain the genuine independence and the administrative integrity of China, and to sustain and strengthen principles of individual liberty and free institutions in China through a program of assistance based on self-help and cooperation: *Provided*, That no assistance to China herein contemplated shall seriously impair the economic stability of the United States. It is further declared to be the policy of the United States that assistance provided by the United States under this title should at all times be dependent upon cooperation by the Republic

of China and its people in furthering the program: *Provided further*, That assistance furnished under this title shall not be construed as an express or implied assumption by the United States of any responsibility for policies, acts, or undertakings of the Republic of China or for conditions which may prevail in China at any time.

SEC. 403. Aid provided under this title shall be provided under the applicable provisions of the Economic Cooperation Act of 1948 which are consistent with the purposes of this title. It is not the purpose of this title that China, in order to receive aid hereunder, shall adhere to a joint program for European recovery.

Ante, p. 137.

SEC. 404. (a) In order to carry out the purposes of this title, there is hereby authorized to be appropriated to the President for aid to China a sum not to exceed $338,000,000 to remain available for obligation for the period of one year following the date of enactment of this Act.

Appropriation authorized.
Post, p. 1056.

(b) There is also hereby authorized to be appropriated to the President a sum not to exceed $125,000,000 for additional aid to China through grants, on such terms as the President may determine and without regard to the provisions of the Economic Cooperation Act of 1948, to remain available for obligation for the period of one year following the date of enactment of this Act.

Additional appropriation authorized.
Post, p. 1056.

SEC. 405. An agreement shall be entered into between China and the United States containing those undertakings by China which the Secretary of State, after consultation with the Administrator for Economic Cooperation, may deem necessary to carry out the purposes of this title and to improve commercial relations with China.

Bilateral agreement.

SEC. 406. Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation is made pursuant to section 404, to make advances, not to exceed in the aggregate $50,000,000, to carry out the provisions of this title in such manner and in such amounts as the President shall determine. From appropriations authorized under section 404, there shall be repaid without interest to the Reconstruction Finance Corporation the advances made by it under the authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this section.

Advances by RFC.

Supra.

Repayment to RFC.

SEC. 407. (a) The Secretary of State, after consultation with the Administrator, is hereby authorized to conclude an agreement with China establishing a Joint Commission on Rural Reconstruction in China, to be composed of two citizens of the United States appointed by the President of the United States and three citizens of China appointed by the President of China. Such Commission shall, subject to the direction and control of the Administrator, formulate and carry out a program for reconstruction in rural areas of China, which shall include such research and training activities as may be necessary or appropriate for such reconstruction: *Provided*, That assistance furnished under this section shall not be construed as an express or implied assumption by the United States of any responsibility for making any further contributions to carry out the purposes of this section.

Joint Commission on Rural Reconstruction in China.

Further contributions.

(b) Insofar as practicable, an amount equal to not more than 10 per centum of the funds made available under subsection (a) of section 404 shall be used to carry out the purposes of subsection (a) of this section. Such amount may be in United States dollars, proceeds in Chinese currency from the sale of commodities made available to China with funds authorized under subsection (a) of section 404, or both.

Supra.

Approved April 3, 1948.

[CHAPTER 170]

AN ACT

April 3, 1948
[H. R. 4478]
[Public Law 473]

To provide basic authority for certain administrative expenditures for the Veterans' Administration, and for other purposes.

Veterans' Administration.
Expenditures authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations hereafter made for the Veterans' Administration shall be available, subject to such limitations as the Administrator of Veterans' Affairs may prescribe by regulations, (1) for furnishing and laundering such wearing apparel as may be prescribed for employees in the performance of their official duties, and (2) for transporting children of Veterans' Administration employees located at isolated stations to and from school in available Government-owned automotive equipment.

38 U. S. C. note foll. § 739, p. 4276.

SEC. 2. Veterans Regulation Numbered 6 (a), as amended, is hereby amended by adding a new paragraph IX as follows:

Tobacco.

"IX. Subject to such regulations as he may prescribe, the Administrator of Veterans' Affairs is authorized to provide for the purchase of tobacco to be furnished to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes."

Post, p. 471.

SEC. 3. The Act of March 14, 1940 (54 Stat. 49; 38 U. S. C. 76), is hereby amended by adding thereto a new section as follows:

Printed reduced-fare requests.

"SEC. 2. The Administrator of Veterans' Affairs is hereby authorized to provide for the purchase of printed reduced-fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities."

Preparation, etc., of exhibits.

SEC. 4. Within the limitations of the appropriations made therefor the Administrator of Veterans' Affairs is authorized to provide for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures and other visual educational information and descriptive material, including the purchase or rental of equipment.

58 Stat. 300.

SEC. 5. Section 1500 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 697), is amended by inserting "(a)" immediately following "SEC. 1500" and adding at the end thereof the following new paragraph:

Allotments and transfers to certain agencies.

"(b) When so specified in an appropriation or other Act, the Administrator of Veterans' Affairs is authorized to make allotments and transfers to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration: *Provided*, That the amounts to be charged the Veterans' Administration for such care and treatment of patients in hospitals shall be calculated on the basis of a per diem rate approved by the Bureau of the Budget."

Hospital care and treatment.

54 Stat. 1184.

SEC. 6. Section 406 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 U. S. C. App. 546), is amended by adding the following new sentence at the end thereof: "Any moneys received as repayment of debts incurred under this article, as originally enacted and as amended, shall be credited to the appropriation for the payment of claims under this article."

Crediting of certain moneys.

Approved April 3, 1948.

[CHAPTER 171]

AN ACT

To extend the authority of the Administrator of Veterans' Affairs to establish and continue offices in the territory of the Republic of the Philippines.

April 3, 1948
[H. R. 4943]
[Public Law 474]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 91, Eightieth Congress, approved June 14, 1947, is hereby amended to read as follows:

61 Stat. 132.
38 U. S. C., Supp. I, § 693a note.

"That the authority in section 7 of the World War Veterans' Act, 1924 (43 Stat. 609; 38 U. S. C. 430), and section 101 of the Servicemen's Readjustment Act of 1944 (58 Stat. 284; 38 U. S. C. 693a), to establish and continue regional offices, suboffices, contact units, or other subordinate offices may continue to be exercised by the Administrator of Veterans' Affairs with respect to territory of the Republic of the Philippines on and after the date of its independence if he deems such offices necessary, but in no event after June 30, 1950."

Approved April 3, 1948.

[CHAPTER 173]

AN ACT

To amend the Tariff Act of 1930 with reference to platinum foxes, and platinum fox furs, and for other purposes.

April 5, 1948
[H. R. 4938]
[Public Law 475]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1519 of the Tariff Act of 1930 is hereby amended by adding at the end thereof a new subparagraph to read as follows:

Tariff Act of 1930, amendments.
46 Stat. 663.
19 U. S. C. § 1001, par. 1519.

"(f) As used in this paragraph the term 'silver or black fox' includes platinum fox and any fox which is a mutation, or type developed, from silver, black, or platinum foxes."

SEC. 2. Paragraph 1606 (a) of such Tariff Act is amended by striking out "except black or silver foxes" and inserting in lieu thereof "except black, silver, or platinum foxes, and any fox which is a mutation, or type developed, therefrom".

46 Stat. 673.
19 U. S. C. § 1201, par. 1606 (a).

Approved April 5, 1948.

[CHAPTER 177]

AN ACT

To exempt Hawaii and Alaska from the requirements of the Act of April 29, 1902, relating to the procurement of statistics of trade between the United States and its noncontiguous territory.

April 7, 1948
[H. R. 3229]
[Public Law 476]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to facilitate the procurement of statistics of trade between the United States and its noncontiguous territory", approved April 29, 1902 (U. S. C., 1940 edition, title 46, sec. 95), is hereby amended by striking out "Hawaii, Puerto Rico, Alaska," and inserting in lieu thereof "Puerto Rico,".

32 Stat. 172.

Approved April 7, 1948.

[CHAPTER 179]

AN ACT

April 8, 1948
[H. R. 5049]
[Public Law 477]

To reopen the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands to exploration, location, entry, and disposition under the general mining laws.

Revested Oregon and California Railroad, etc., grant lands. Exploration, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provisions of the Act of August 28, 1937 (50 Stat. 874), or any other Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, all of such revested or reconveyed lands, except power sites, shall be open for exploration, location, entry, and disposition under the mineral-land laws of the United States, and all mineral claims heretofore located upon said lands, if otherwise valid under the mineral-land laws of the United States, are hereby declared valid to the same extent as if such lands had remained open to exploration, location, entry, and disposition under such laws from August 28, 1937, to the date of enactment of this Act: *Provided*, That any person who under such laws has entered since August 28, 1937, or shall hereafter enter, any of said lands, shall not acquire title, possessory or otherwise, to the timber, now or hereafter growing thereon, which timber may be managed and disposed of as is or may be provided by law, except that such person shall have the right to use so much of the timber thereon as may be necessary in the development and operation of his mine until such time as such timber is disposed of by the United States: *Provided further*, That locations made prior to August 28, 1937, may be perfected in accordance with the laws under which initiated.

Timber.

Unpatented mining claim.

The owner of any unpatented mining claim located upon any of such lands shall file for record in the United States district land office of the land district in which the claim is situated (1) within one hundred and eighty days after the effective date of this Act, as to locations heretofore made, or within sixty days of locations, as to locations hereafter made, a copy of the notice of location of the claim; (2) within sixty days after the expiration of any annual assessment year, a statement under oath as to the assessment work done or improvements made during the previous assessment year, or as to compliance, in lieu thereof, with any applicable relief Act.

Approved April 8, 1948.

[CHAPTER 180]

AN ACT

April 9, 1948
[H. R. 2298]
[Public Law 478]

To amend the Interstate Commerce Act, as amended, and for other purposes.

Interstate Commerce Act, amendments. Securities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be in aid of the national transportation policy of the Congress, as set forth in the preamble of the Interstate Commerce Act, as amended, in order to promote the public interest in avoiding the deterioration of service and the interruption of employment which inevitably attend the threat of financial difficulties and which follow upon financial collapse and in order to promote the public interest in increased stability of values of railroad securities with resulting greater confidence therein of investors, to assure, insofar as possible, continuity of sound financial condition of common carriers subject to part I of said Act, to enhance the marketability of railroad securities impaired by large and continuing accumulations of interest on income bonds and dividends on preferred stock and to enable said common carriers, insofar as possible, to avoid prospective financial difficulties,

24 Stat. 379.
49 U. S. C. § 27.

inability to meet debts as they mature, and insolvency. To assist in accomplishing these ends and because certain classes of the securities of such carriers are in the usual case held by a very large number of holders, and, further, to enable modification and reformation of provisions of the aforesaid classes of securities and of provisions of the instruments pursuant to which they are issued or by which they are secured in cases where such modification and reformation shall have become necessary or desirable in the public interest in order to avoid obstruction to or interference with the economical, efficient, and orderly conduct by such carriers of their affairs, it is deemed necessary to provide means, in the manner and with the safeguards herein provided, for the alteration and modification, without the assent of every holder thereof, of the provisions of such classes of securities and of the instruments pursuant to which they are outstanding or by which they are secured.

SEC. 2. Part I of the Interstate Commerce Act, as amended, is amended by adding after section 20a the following new section:

41 Stat. 494.
49 U. S. C. § 20a.

Alteration of securities, mortgages, etc.

"SEC. 20b. (1) It shall be lawful (any express provision contained in any mortgage, indenture, deed of trust, corporate charter, stock certificate, or other instrument or any provision of State law to the contrary notwithstanding), with the approval and authorization of the Commission, as provided in paragraph (2) hereof, for a carrier as defined in section 20a (1) of this part to alter or modify (a) any provision of any class or classes of its securities as defined in section 20a (2) of this part being hereinafter in this section sometimes called 'securities'; or (b) any provision of any mortgage, indenture, deed of trust, corporate charter, or other instrument pursuant to which any class of its securities shall have been issued or by which any class of its obligations is secured (hereinafter referred to as instruments): *Provided*, That the provisions of this section shall not apply to any equipment-trust certificates in respect of which a carrier is obligated, or to any evidences of indebtedness of a carrier the payment of which is secured in any manner solely by equipment, or to any instrument, whether an agreement, lease, conditional-sale agreement, or otherwise, pursuant to which such equipment-trust certificates or such evidences of indebtedness shall have been issued or by which they are secured.

Equipment-trust certificates.

"(2) Whenever an alteration or modification is proposed under paragraph (1) hereof, the carrier seeking authority therefor shall, pursuant to such rules and regulations as the Commission shall prescribe, present an application to the Commission. Upon presentation of any such application, the Commission may, in its discretion, but need not, as a condition precedent to further consideration, require the applicant to secure assurances of assent to such alteration or modification by holders of such percentage of the aggregate principal amount or number of shares outstanding of the securities affected by such alteration or modification as the Commission shall in its discretion determine. If the Commission shall not require the applicant to secure any such assurances, or when such assurances, as the Commission may require shall have been secured, the Commission shall set such application for public hearing and the carrier shall give reasonable notice of such hearing in such manner, by mail, advertisement, or otherwise, as the Commission may find practicable and may direct, to holders of such of its classes of securities and to such other persons in interest as the Commission shall determine to be appropriate and shall direct. If the Commission, after hearing, in addition to making (in any case where such alteration or modification involves an issuance of securities) the findings required by paragraph (2) of section 20a, not inconsistent with paragraph (1) of this section shall find that, subject to such terms and conditions and with such amendments as it shall

Filing of application.

Assurances of assent.

Public hearing.

41 Stat. 494.
49 U. S. C. § 20a (2).

determine to be just and reasonable, the proposed alteration or modification—

"(a) is within the scope of paragraph (1);

"(b) will be in the public interest;

"(c) will be in the best interests of the carrier, of each class of its stockholders, and of the holders of each class of its obligations affected by such modification or alteration; and

"(d) will not be adverse to the interests of any creditor of the carrier not affected by such modification or alteration,

then (unless the applicant, carrier shall withdraw its application) the Commission shall cause the carrier, in such manner as it shall direct, to submit the proposed alteration or modification (with such terms, conditions, and amendments, if any) to the holders of each class of its securities affected thereby, for acceptance or rejection. All letters, circulars, advertisements, and other communications, and all financial and statistical statements, or summaries thereof, to be used in soliciting the assents or the opposition of such holders shall, before being so used, be submitted to the Commission for its approval as to correctness and sufficiency of the material facts stated therein. If the Commission shall find that as a result of such submission the proposed alteration or modification has been assented to by the holders of at least 75 per centum of the aggregate principal amount or number of shares outstanding of each class of securities affected thereby (or in any case where 75 per centum thereof is held by fewer than twenty-five holders, such larger percentage, if any, as the Commission may determine to be just and reasonable and in the public interest), the Commission shall enter an order approving and authorizing the proposed alteration or modification upon the terms and conditions and with the amendments, if any, so determined to be just and reasonable. Such order shall make provision as to the time when such alteration or modification shall become and be binding, which may be upon publication of a declaration to that effect by the carrier, or otherwise, as the Commission may determine. Any alteration or modification which shall become and be binding pursuant to the approval and authority of the Commission hereunder shall be binding upon each holder of any security of the carrier of each class affected by such alteration or modification, and upon any trustee or other party to any instrument under which any class of obligations shall have been issued or by which it is secured, and when any alteration or modification shall become and be binding the rights of each such holder and of any such trustee or other party shall be correspondingly altered or modified.

Submission to security holders.

Approval of letters, etc., by Commission.

Assent by holders.

Securities affected by alteration, etc.

"(3) For the purposes of this section a class of securities shall be deemed to be affected by any modification or alteration proposed only (a) if a modification or alteration is proposed as to any provision of such class of securities, or (b) if any modification or alteration is proposed as to any provision of any instrument pursuant to which such class of securities shall have been issued or shall be secured: *Provided*, That in any case where more than one class of securities shall have been issued and be outstanding or shall be secured pursuant to any instrument, any alteration or modification proposed as to any provision of such instrument which does not relate to all of the classes of securities issued thereunder, shall be deemed to affect only the class or classes of securities to which such alteration or modification is related. For the purpose of the finding of the Commission referred to in paragraph (2) of this section as to whether the required percentage of the aggregate principal amount or number of shares outstanding of each class of securities affected by any proposed alteration or modification has assented to the making of such alteration or modification, any security which secures any evidence or evidences of indebtedness of the carrier or of any company controlling or controlled by

the carrier shall be deemed to be outstanding unless the Commission in its discretion determines that the proposed alteration or modification does not materially affect the interests of the holder or holders of the evidence or evidences of indebtedness secured by such security. Whenever any such pledged security is, for said purposes, to be deemed outstanding, assent in respect of such security, as to any proposed alteration or modification, may be given only (any express or implied provision in any mortgage, indenture, deed of trust, note, or other instrument to the contrary notwithstanding) as follows: (a) Where such security is pledged as security under a mortgage, indenture, deed of trust, or other instrument, pursuant to which any evidences of indebtedness are issued and outstanding, by the holders of a majority in principal amount of such evidences of indebtedness, or (b) where such security secures an evidence or evidences of indebtedness not issued pursuant to such a mortgage, indenture, deed of trust, or other instrument, by the holder or holders of such evidence or evidences of indebtedness; and in any such case the Commission, in addition to the submission referred to in paragraph (2) of this section, shall cause the carrier in such manner as it shall direct to submit the proposed alteration or modification (with such terms, conditions, and amendments, if any, as the Commission shall have determined to be just and reasonable) for acceptance or rejection, to the holders of the evidences of indebtedness issued and outstanding pursuant to such mortgage, indenture, deed of trust, or other instrument, or to the holder or holders of such evidence or evidences of indebtedness not so issued, and such proposed alteration or modification need not be submitted to the trustee of any such mortgage, indenture, deed of trust, or other instrument, but assent in respect of any such security shall be determined as hereinbefore in this section provided. For the purposes of this section a security or an evidence of indebtedness shall not be deemed to be outstanding if in the determination of the Commission the assent of the holder thereof to any proposed alteration or modification is within the control of the carrier or of any person or persons controlling the carrier.

Liability as guarantor, etc.

"(4) (a) Any authorization and approval hereunder of any alteration or modification of a provision of any class of securities of a carrier or of a provision of any instrument pursuant to which a class of securities has been issued, or by which it is secured, shall be deemed to constitute authorization and approval of a corresponding alteration or modification of the obligation of any other carrier which has assumed liability in respect of such class of securities as guarantor, endorser, surety, or otherwise: *Provided*, That such other carrier consents in writing to such alteration or modification of such class of securities in respect of which it has assumed liability or of the instrument pursuant to which such class of securities has been issued or by which it is secured and, such consent having been given, any such corresponding alteration or modification shall become effective, without other action, when the alteration or modification of such class of securities or of such instrument shall become and be binding.

Consent in writing.

"(b) Any person who is liable or obligated contingently or otherwise on any class or classes of securities issued by a carrier shall, with respect to such class or classes of securities, for the purposes of this section, be deemed a carrier.

Exclusive and plenary authority.

"(5) The authority conferred by this section shall be exclusive and plenary and any carrier, in respect of any alteration or modification authorized and approved by the Commission hereunder, shall have full power to make any such alteration or modification and to take any actions incidental or appropriate thereto, and may make any such alteration or modification and take any such actions, and any such alteration or modification may be made without securing the approval

of the Commission under any other section of this Act or other paragraph of this section, and without securing approval of any State authority, and any carrier and its officers and employees and any other persons, participating in the making of an alteration or modification approved and authorized under the provisions of this section or the taking of any such actions, shall be, and they hereby are, relieved from the operation of all restraints, limitations, and prohibitions of law, Federal, State, or municipal, insofar as may be necessary to enable them to make and carry into effect the alteration or modification so approved and authorized in accordance with the conditions and with the amendments, if any, imposed by the Commission. Any power granted by this section to any carrier shall be deemed to be in addition to and in modification of its powers under its corporate charter or under the laws of any State. The provisions of this section shall not affect in any way the negotiability of any security of any carrier or of the obligation of any carrier which has assumed liability in respect thereto.

Negotiability of security.

Reports.

"(6) The Commission shall require periodical or special reports from each carrier which shall hereafter secure from the Commission approval and authorization of any alteration or modification under this section, which shall show, in such detail as the Commission may require, the action taken by the carrier in the making of such alteration or modification.

Provisions permissive.

"(7) The provisions of this section are permissive and not mandatory and shall not require any carrier to obtain authorization and approval of the Commission hereunder for the making of any alteration or modification of any provision of any of its securities or of any class thereof or of any provision of any mortgage, indenture, deed of trust, corporate charter, or other instrument, which it may be able lawfully to make in any other manner, whether by reason of provisions for the making of such alteration or modification in any such mortgage, indenture, deed of trust, corporate charter, or other instrument, or otherwise: *Provided*, That the provisions of paragraph (2) of section 20a, if applicable to such alteration or modification made otherwise than pursuant to the provisions of this section, shall continue to be so applicable.

41 Stat. 494.
49 U. S. C. § 20a (2).

41 Stat. 495.
49 U. S. C. § 20a (6).

"(8) The provisions of paragraph (6) of section 20a, except the provisions thereof in respect of hearings, shall apply to applications made under this section. In connection with any order entered by the Commission pursuant to paragraph (2) hereof, the Commission may from time to time, for good cause shown, make such supplemental orders in the premises as it may deem necessary or appropriate, and may by any such supplemental order modify the provisions of any such order, subject always to the requirements of said paragraph (2).

Supplemental orders.

48 Stat. 895.
15 U. S. C. § 78n (a).

"(9) The provisions of subdivision (a) of section 14 of the Securities Exchange Act of 1934 shall not apply to any solicitation in connection with a proposed alteration or modification pursuant to this section.

Rules and regulations.

"(10) The Commission shall have the power to make such rules and regulations appropriate to its administration of the provisions of this section as it shall deem necessary or desirable.

48 Stat. 76, 77.
15 U. S. C. §§ 77c (a) (6), 77e.

"(11) Any issuance of securities under this section which shall be found by the Commission to comply with the requirements of paragraph (2) of section 20a shall be deemed to be an issuance which is subject to the provisions of section 20a within the meaning of section 3 (a) (6) of the Securities Act of 1933, as amended. Section 5 of said Securities Act shall not apply to the issuance, sale, or exchange of certificates of deposit representing securities of, or claims against, any carrier which are issued by committees in proceedings under this

section, and said certificates of deposit and transactions therein shall, for the purposes of said Securities Act, be deemed to be added to those exempted by sections 3 and 4, respectively, of said Securities Act.

48 Stat. 75, 77. 15 U. S. C. §§ 77c, 77d.

"(12) The provisions of sections 1801, 1802, 3481, and 3482 of the Internal Revenue Code and any amendments thereto, unless specifically providing to the contrary, shall not apply to the issuance, transfer, or exchange of securities or the making or delivery of conveyances to make effective any alteration or modification effected pursuant to this section.

53 Stat. 195, 424. 26 U. S. C. §§ 1801, 1802, 3481, 3482; Supp. I, §§ 1802, 3481.

"(13) The Commission shall not approve an application filed under this section by any carrier while in equity receivership or in process of reorganization under section 77 of the Bankruptcy Act, as amended, except that the Commission may approve an application filed by a carrier which, on the date of enactment of this Act, is in equity receivership and with respect to which no order confirming the sale of the carrier's property has been entered, or is in process of reorganization under section 77 and with respect to which no order confirming a plan shall have been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, if prior to the filing of such application with the Commission such carrier shall have applied for and been granted permission to file such application by the district judge before whom the equity receivership or section 77 proceeding is pending. Any such carrier applying for permission to file such application shall file with the court as a prerequisite to the granting of such permission (1) a copy of the proposed application, (2) a copy of the proposed plan of alteration or modification of its securities, and (3) assurances satisfactory to the court of the acceptance of such plan from holders of at least 25 per centum of the aggregate amount of all securities, including not less than 25 per centum of the aggregate amount of all creditors' claims, affected by such plan. An order of a district judge granting or withholding such permission shall be final and shall not be subject to review. Upon granting of such permission, such proceeding, so far as it relates to a plan of reorganization, shall be suspended until the Commission shall have notified the court that (a) the application filed by such carrier under this section has been dismissed or denied by the Commission or withdrawn, (b) the Commission has approved and authorized an alteration or modification under this section with respect to the securities of such carrier, or (c) twelve months have elapsed since the filing of such application and no such alteration or modification has been approved and authorized by the Commission. Upon receipt by the court of notification that such application has been dismissed or denied or withdrawn or that twelve months have elapsed and no alteration or modification has been approved and authorized, the equity receivership or section 77 proceeding shall be resumed as though permission to file application under this section had not been granted. Upon receipt by the court of notification that the Commission has authorized and approved such alteration or modification of the carrier's securities under this section as, in the judgment of the court, makes further receivership or section 77 proceeding unnecessary, the court shall enter an order restoring custody of the property to the debtor, and making such other provision as may be necessary to terminate the equity receivership or section 77 proceeding."

Carriers in receivership, etc.

47 Stat. 1474. 11 U. S. C. § 205.

Permission to file application.

Notification of court.

Receipt by court.

SEC. 3. (a) Notwithstanding any other provision of law—

(1) with respect to any plan of reorganization or modified

Petition to review.

47 Stat. 1474.
11 U. S. C. § 205.

plan of reorganization approved by the Interstate Commerce Commission under the provisions of section 77 of the Bankruptcy Act, as amended, subsequent to the effective date of this Act, it shall be the duty of the Commission, upon petition of any party to the proceeding filed at any time more than eighteen months after certification by the Commission to the court of the plan or of an order disposing of a like petition, but before any order confirming the plan shall have been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, to report to the court in which consideration of such plan is then pending, any changes, facts, or developments which have occurred since the approval of such plan by the Commission, which were not provided for in the plan, and which in the opinion of the Commission make it necessary or expedient for the Commission to reexamine or reconsider and, if necessary, to revise such plan in order to insure that such plan, if consummated and put into effect, shall then, in the opinion of the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section and section 77 of the Bankruptcy Act, as amended. Upon the filing of any such report by the Commission with the court, the court shall remand the plan to the Commission for such reexamination, reconsideration, and possible revision;

(2) if, with respect to any plan of reorganization or modified plan of reorganization approved by the Commission subsequent to the effective date of this Act, the court before which such plan is then pending, for approval or confirmation, no order of confirmation having been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, upon petition of any party to the proceeding and either with or without a hearing, shall find that changes, facts, or developments have occurred since the approval of such plan by the Commission which were not provided for in the plan and which make it necessary or expedient, in the opinion of the court, that the Commission reexamine and reconsider and revise such plan in order to insure that the plan consummated and put into effect shall then, in the opinion of the court and the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section, and section 77 of the Bankruptcy Act, as amended, the court shall return the plan to the Commission for such reexamination, reconsideration and possible revision;

(3) with respect to any plan of reorganization or modified plan of reorganization which, on the date of enactment of this Act, is before any district court for approval or confirmation, no order of confirmation having been entered, or, such order having been entered, if an appeal from said order is pending in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such an appeal or to file such petition has not expired, it shall be the duty of the Commission, upon petition of any party to the

proceeding, to report to such court any changes, facts, or developments which have occurred since December 31, 1939, which were not provided for in the plan and which, in the opinion of the Commission, make it necessary or expedient for the Commission to reexamine or reconsider and, if necessary, to revise such plan in order to insure that if consummated and put into effect, such plan shall then, in the opinion of the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section and section 77 of the Bankruptcy Act, as amended. Upon the filing of any such report by the Commission with the court, the court shall remand the plan to the Commission for such reexamination, reconsideration, and possible revision;

(4) in the event of the return of a plan to the Commission pursuant to the provisions of this subsection (a), the proceedings with respect thereto shall be governed by the provisions of subsection (d) of section 77 of the Bankruptcy Act, as amended; 47 Stat. 1474. 11 U. S. C. § 205.

(5) each petition filed under the provisions of paragraph (1) or paragraph (3) of this subsection (a) shall be filed with the court before which is pending the plan which is the subject of the petition and such petition shall be referred by the court to the Commission. Upon the filing of such petition with the court all further proceedings for confirmation of the plan shall be suspended pending disposition of the petition by the Commission and certification of its action thereon to the court.

(b) As to any plan so returned to the Commission by the court, the Commission, upon further hearing at which all parties may appear and submit evidence as to prospective earning power and other relevant facts, and upon consideration of all changes, facts, and developments which have occurred since the date of approval of the plan by the Commission (or which have occurred since December 31, 1939, in the case of plans which on the date of enactment of this Act were pending before, but had not been confirmed by, the court by order which shall have become final), including, without limitation, for such period total railway operating revenues, operating expenses and other charges, net earnings, the full effect of amortization deductions on earnings of past and future years, improvements to property, the effect of released collateral through past or future payments of loans, cash and net current assets, retirements and purchases of debt, including retirements and purchases at a discount that have been made or that can reasonably be made, adjustment and reduction of interest rates on outstanding debt that may be made, shall, in a supplemental report and order, modify, or refuse to modify, any plan which it has approved, stating the reasons for such modification or for its refusal to modify the plan. The Commission, if it modifies the plan, shall certify the modified plan to the court, together with a transcript of the proceeding before it and a copy of its report and order approving the modified plan. Thereafter proceedings upon the plan shall be governed by the provisions of subsection (e) of section 77 of the Bankruptcy Act, as amended, and of this section. If the Commission refuses to modify the plan, it shall transmit to the court a copy of its report and order, together with a transcript of the proceedings before it. Thereafter, if the court shall find that the refusal of the Commission to modify the plan is based on sufficient findings and is supported by the record, the proceeding upon the plan shall continue as if the plan had not been returned to the Commission; otherwise the court shall return the plan to the Commission for further consideration. Upon such consideration, the Commission shall again certify the plan to the court with such modifications, if any, as it may find necessary, and thereafter further proceedings upon the plan shall be as provided in said subsection (e) and in this section.

Modification or refusal to modify.

47 Stat. 1478. 11 U. S. C. § 205 (e).

Saving clause.

SEC. 4. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved April 9, 1948.

[CHAPTER 181]

AN ACT

April 9, 1948
[S. 1794]
[Public Law 479]

To authorize the Houston Council, Navy League of the United States, to construct a reflecting pool at the United States naval hospital, Houston, Texas.

Naval Hospital, Houston, Tex.
Reflecting pool.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to permit the Houston Council, Navy League of the United States, to construct a reflecting pool on the grounds of the United States naval hospital, at Houston, Texas.

SEC. 2. The site of the reflecting pool and its design and construction shall be subject to the approval of the Secretary of the Navy. The design and construction of the reflecting pool shall be without cost to the United States.

Unconditional gift to U. S.

SEC. 3. Upon completion of the construction of the reflecting pool, the Secretary of the Navy is authorized to accept it as an unconditional gift to the United States from the Houston Council, Navy League of the United States.

Approved April 9, 1948.

[CHAPTER 183]

AN ACT

April 13, 1948
[H. R. 4167]
[Public Law 480]

To authorize the States of Montana, North Dakota, South Dakota, and Washington to lease their State lands for production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, for such terms of years and on such conditions as may be from time to time provided by the legislatures of the respective States.

Lease of State lands for mineral production.

47 Stat. 150.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, is amended to read as follows: "Except as otherwise provided herein, the said lands may be leased under such regulations as the legislature may prescribe. Leases for the production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, shall be for such term of years and on such conditions as may be from time to time provided by the legislatures of the respective States; leases for grazing and agricultural purposes shall be for a term not longer than ten years; and leases for development of hydroelectric power shall be for a term not longer than fifty years."

Approved April 13, 1948.

[CHAPTER 185]

AN ACT

April 15, 1948
[S. 805]
[Public Law 481]

Authorizing an appropriation for the construction, extension, and improvement of a high-school building near Roosevelt, Utah, for the district embracing the east portion of Duchesne County and the west portion of Uintah County.

Roosevelt, Utah.
Appropriation authorized for high-school building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not

otherwise appropriated, the sum of $250,000 for the purpose of cooperating with the school districts in Utah comprising the east portion of Duchesne County and the west portion of Uintah County for the construction, extension, and improvement of a high-school building near Roosevelt, Utah: *Provided*, That the expenditure of any moneys appropriated hereunder shall be subject to the condition that the school authorities for the said school districts shall take any and all necessary steps, under the laws of the State of Utah, to provide any and all additional funds required to complete the construction, extension, and improvement of the said high-school building, and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs: *Provided further*, That plans and specifications for the construction, extension, and improvement of the said high-school building shall be furnished by the local or State authorities, without cost to the United States, and submitted to the Commissioner of Indian Affairs for approval, before any moneys appropriated hereunder may be expended, and that upon compliance with this provision actual work shall proceed under the direction of such local or State officials: *Provided further*, That payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation made hereunder shall be final and sufficient for such payment thereof: *And provided further*, That the said high school so constructed, extended, and improved shall be maintained by the said school districts and shall be available to all the Indian children of the said districts on the same terms, as to other children of said school districts.

Post, p. 1120.

Additional funds.

Approval of plans and specifications.

Payment for work.

Indian children.

Approved April 15, 1948.

[CHAPTER 186]

AN ACT

April 15, 1948
[S. 1306]
[Public Law 482]

Relating to the construction and disposition of the San Jacinto-San Vicente aqueduct.

San Jacinto-San Vicente aqueduct.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby (1) ratifies the action taken by various departments and agencies in the executive branch of the Government in planning for and proceeding with the construction of an aqueduct running from a connection with the Colorado River aqueduct of the Metropolitan Water District of Southern California near the west portal of San Jacinto tunnel in Riverside County, California, to San Vicente Reservoir in San Diego County, California; (2) authorizes the completion of such aqueduct in accordance with existing Government plans for the completion thereof; and (3) ratifies the action of the Navy Department in disposing of the aqueduct to the city of San Diego, California, pursuant to contract NOy-13300 which provides, among other things, for the leasing of such aqueduct to such city.

Approved April 15, 1948.

[CHAPTER 187]

AN ACT

April 15, 1948
[S. 1581]
[Public Law 483]

To provide additional time to the city of Newark, New Jersey, for paying certain installments on the purchase price of the Port Newark Army Base, and for other purposes.

Port Newark Army Base, Newark, N. J.
Extension of time for payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the sale of the Port Newark

49 Stat. 1557.

Army Base to the city of Newark, New Jersey, and for other purposes", approved June 20, 1936, is amended by striking out "of which $100,000 shall be paid in cash and the balance in annual installments, on or before August 1 of each succeeding year, of $100,000 per year for the first five years and $200,000 per year thereafter" and inserting in lieu thereof "of which $100,000 shall be paid in cash and the balance in annual installments of $100,000 on or before August 1 of each of the first nine years in which the city of Newark or its lessee has possession and of $200,000 on or before August 1 of each of the next five years in which the city of Newark or its lessee has possession".

Supplement to contract.

49 Stat. 1557.

SEC. 2. The Secretary of War is authorized to execute a supplement to the contract of sale entered into with the city of Newark, New Jersey, pursuant to the Act of June 26, 1936, in order to make effective the amendments made to such Act by this Act.

Approved April 15, 1948.

[CHAPTER 188]

AN ACT

April 15, 1948
[S. 1799]
[Public Law 484]

To amend the Act of June 3, 1916, as amended, to make it applicable to the Canal Zone, Guam, American Samoa, and the Virgin Islands.

Wearing of uniform.
Post, p. 864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 125 of the Act of June 3, 1916 (39 Stat. 216; 10 U. S. C. 1393), as amended, is hereby further amended by inserting between the first and second paragraphs thereof the following new paragraph:

"The provisions of this section shall apply to the Canal Zone, Guam, American Samoa, and the Virgin Islands, as well as to all other places within the jurisdiction of the United States."

Approved April 15, 1948.

[CHAPTER 191]

AN ACT

April 17, 1948
[H. R. 3569]
[Public Law 485]

To authorize the construction of a chapel and a library at the United States Merchant Marine Academy at Kings Point, New York, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof.

U. S. Merchant Marine Academy.
Chapel and library.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Maritime Commission is authorized to construct a suitable chapel for religious worship by any denomination, sect, or religion, and a library at the United States Merchant Marine Academy at Kings Point, New York.

SEC. 2. The Maritime Commission is authorized to acquire title to an appropriate site or sites adjoining the present Merchant Marine Academy reservation either by purchase, condemnation, gift, or otherwise.

Private contributions.

SEC. 3. The Maritime Commission is authorized to accept private contributions to assist in defraying the cost of construction of the chapel and library provided for herein. Such contributions shall be received and accounted for under such regulations as the Comptroller General of the United States may prescribe.

Appropriation authorized.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to complete the purposes of this Act.

Approved April 17, 1948.

[CHAPTER 192]

AN ACT

To extend the provisions of the Federal Airport Act to the Virgin Islands.

April 17, 1948
[S. 2081]
[Public Law 486]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Airport Act of 1946 is hereby amended by—

(1) Adding after the words "Puerto Rico", wherever they appear in paragraph 7 of section 2 (a) and in sections 3 (a), 7, and 9 (c) thereof, the phrase "and the Virgin Islands".

60 Stat. 170.
49 U. S. C. §§ 1101(a)(7), 1102(a), 1106, 1108 (c).

(2) Adding after the word "Alaska" appearing in section 10 (c) the phrase "and the Virgin Islands".

49 U. S. C. § 1109 (c).

Approved April 17, 1948.

[CHAPTER 215]

AN ACT

To amend section 7 of the District of Columbia Traffic Act, 1925, as amended, to provide for learners' permits, and for other purposes.

April 20, 1948
[H. R. 4572]
[Public Law 487]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 (a) of the District of Columbia Traffic Act, 1925, as amended, is amended to read as follows:

D. C. Traffic Act, 1925, amendment.
43 Stat. 1121.
D. C. Code, Supp. VI, § 40-301 (a).

"(a) (1) Upon application made under oath and the payment of the fee hereinafter prescribed, the Commissioners or their designated agent shall issue a motor vehicle operator's permit to any individual who, after examination, in the opinion of the Commissioners or their designated agent, is mentally, morally, and physically qualified to operate a motor vehicle in such manner as not to jeopardize the safety of individuals or property. The Commissioners or their designated agent shall cause each applicant to be examined as to his knowledge of the traffic regulations of the District and shall require the applicant to give a practical demonstration of his ability to operate a motor vehicle within a congested portion of the District and in the presence of such individuals as may be authorized to conduct the demonstration, except that upon the renewal of any such operator's permit such examination and demonstration may be waived in the discretion of the Commissioners or their designated agent. Should the Commissioners or their designated agent believe that the issuance or reissuance of a permit in accordance with the provisions of this Act may prove a menace to public safety, they or their agent may refuse the issuance or reissuance thereof. Operators' permits shall be issued for a period not in excess of three years upon compliance with such regulations as the Commissioners or their designated agent may prescribe. The fee for any such permit shall be $3. No operator's permit shall be issued to any individual under sixteen years of age. No operator's permit issued to any individual under eighteen years of age shall authorize the operation by such individual while he is under the age of eighteen years of any motor vehicle other than a passenger vehicle or motorcycle or motor bicycle, used solely for purposes of pleasure: *Provided*, That such permit shall not authorize the operation by any such individual under the age of eighteen years of any such motor vehicle for compensation.

Operator's permit.

Examination.

Period of permit.

Fee.

Age restriction.

"(2) Upon application made under oath and the payment of a fee of $1, the commissioners or their designated agent may issue a learner's permit to any applicant who has successfully passed all parts of the examination other than the driving demonstration test. Such permit shall entitle the permittee, while having such permit in his immediate possession, to drive a passenger motor vehicle in the District for a

Learner's permit.

Extension of permit.

period of thirty days, when accompanied by the holder of a motor vehicle operator's permit who is occupying a seat beside such permittee. Any such learner's permit may be extended for one additional period of thirty days. No learner's permit shall be issued to any individual under sixteen years of age; and no such permit issued to any individual sixteen years of age or over but under eighteen years of age shall authorize the operation of any motor vehicle unless the holder of such permit is accompanied by the holder of a motor-vehicle instructor's license who is occupying a seat beside such learner or unless the holder of such permit is operating a passenger vehicle used solely for purposes of pleasure and owned by such learner or his parent or guardian and such learner is accompanied by the holder of a motor-vehicle operator's permit who is occupying a seat beside such learner.

Operation of dual-control vehicles.

"(3) Any pupil fifteen years of age or over enrolled in a high school or junior high school driver education and training course approved by the Commissioners or their designated agent may, without obtaining either an operator's or a learner's permit, operate a dual-control motor vehicle at such times as such pupil is under instruction and accompanied by a licensed motor-vehicle driving instructor: *Provided*, That such instructor shall at all times while he is engaged in such instruction have on his person a certificate from the principal or other person in charge of such school, stating that such instructor is officially designated to instruct pupils enrolled in such course, and whenever demand is made by a police officer such instructor shall display to him such certificate.

Instructor's certificate.

Loss of permit.

"(4) In case of the loss of an operator's permit or a learner's permit, the individual to whom such permit was issued shall forthwith notify the commissioners or their designated agent, who shall furnish such individual with a duplicate permit. The fee for each such duplicate permit shall be 50 cents.

Permit for Government-owned vehicles.

"(5) Enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be issued, without charge, a permit to operate Government-owned vehicles, while engaged in official business, upon the presentation of a certificate from their commanding officers to the effect that they are assigned to operate a Government vehicle and are qualified to drive, and upon proving to the satisfaction of the director of vehicles and traffic that they are familiar with the traffic regulations of the District of Columbia."

43 Stat. 1122. D. C. Code, Supp. VI, § 40-301 (e).

SEC. 2. Section 7 (e) of the District of Columbia Traffic Act, 1925, as amended, is amended to read as follows:

43 Stat. 1123. D. C. Code § 40-303.

"(e) No individual shall operate a motor vehicle in the District, except as provided in section 8, without having first obtained an operator's permit or a learner's permit issued under the provisions of this Act.

Penalty.

Any individual violating any provision of this subsection shall, upon conviction thereof, be fined not more than $300 or be imprisoned not more than ninety days."

Approved April 20, 1948.

[CHAPTER 216]

AN ACT

April 20, 1948
[H. R. 4636]
[Public Law 488]

To amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, as amended.

Practice of healing art, D. C. 45 Stat. 1327. D. C. Code § 2-104; Supp. VI, § 2-104.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the penultimate sentence of section 6 of the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the

District of Columbia" is hereby amended to read as follows: "If the commission finds that an applicant is entitled to a license by virtue of an outstanding license to practice medicine and surgery in the District of Columbia or by virtue of years of practice, under the provisions of section 24 of this Act or by virtue of reciprocity, under the provisions of section 25, or by virtue of a certificate or diploma by a national examining board as provided in section 25 (a) of this Act, it shall issue to him a license accordingly."

Issuance of license.

45 Stat. 1334, 1335. D. C. Code § 2-120; Supp. VI, § 2-121.

SEC. 2. The penultimate sentence of section 11 of the said Act is hereby amended to read as follows: "An applicant who is reported by the board as qualified in said sciences and who is entitled to a license by reciprocity, without examination, or by virtue of a certificate or diploma issued by a national examining board, shall thereupon be given such a license."

45 Stat. 1329. D. C. Code § 2-108.

SEC. 3. (a) The third sentence of section 23 is hereby amended to read as follows: "Each application shall show whether the applicant (a) seeks a license (1) on the basis of a license to practice medicine and surgery in the District of Columbia, under section 24 of this Act; (2) on the basis of years of practice, under section 24; (3) on the basis of reciprocity, under section 25 of this Act; (4) by virtue of a certificate or diploma issued by a national examining board, as provided in section 25 (a) of this Act; or (5) on the basis of examination, under section 26; or (b) seeks registration as a person exempted from licensure, under section 42."

45 Stat. 1333. D. C. Code § 2-119. Basis.

D. C. Code § 2-120.

D. C. Code, Supp. VI, § 2-121.

Infra.

D. C. Code §§ 2-122, 2-133.

SEC. 3. (b) The fourth sentence of section 23 is hereby amended to read as follows: "Each application shall be accompanied by a fee, as follows: For a license on the basis of a license to practice medicine and surgery in the District of Columbia, a fee of $1; on the basis of years of practice in the District of Columbia, a fee of $25; for a license on the basis of reciprocity, a fee of $50; for a license on the basis of a certificate or diploma from a national examining board, a fee of $25; for certification of applications for license by reciprocity in other jurisdictions, a fee of $10; for a license on the basis of examination, a fee of $25; for registration as a person exempted from license, a fee of $1; but physicians and surgeons of the United States Army, Navy, and Public Health Service, and medical officers in any other branch of the Federal Government whatsoever, and practitioners of the healing art residing within and licensed by States bordering on the District of Columbia, who do not maintain an office or appoint places where patients may be met within the District of Columbia, applying for registration as persons exempted from licensure in the District of Columbia, shall not be required to pay any fee in connection with any such application."

45 Stat. 1333. D. C. Code § 2-119. Fees.

SEC. 4. The said Act is further amended by inserting after section 25 a new section designated "SEC. 25. (a)" to read as follows:

45 Stat. 1335. D. C. Code, Supp. VI, § 2-121. Certificate or diploma from national examining board.

"SEC. 25. (a) The commission may issue a license, without examination, to anyone holding a certificate or diploma from a national examining board: *Provided*, That the examination given by the national examining board was as comprehensive and as exhaustive as that required in the District of Columbia. The applicant for license on this basis shall submit with his application proof satisfactory to the commission that he is not less than twenty-one years of age; that he is of good moral character; that he has had not less than two years of preprofessional education and training in a college or university acceptable to the commission before entering on the study of the healing art; that he has studied the healing art through not less than four graded courses of not less than nine months each, in a professional school or schools registered under this Act, and has been graduated by such school with the degree of doctor of medicine, doctor of

Proof required.

osteopathy, or some equivalent degree; and, if required by the commission, that he has had not less than one year of training in a hospital registered by the commission under this Act: *Provided further*, That the license issued on the basis of a certificate or diploma from a national examining board shall so state on its face."

Approved April 20, 1948.

[CHAPTER 217]

AN ACT

April 20, 1948
[H. R. 4649]
[Public Law 489]

To provide that compensation of members of the Alcoholic Beverage Control Board of the District of Columbia shall be fixed in accordance with the Classification Act of 1923, as amended.

Alcoholic Beverage Control Board, D. C.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

48 Stat. 321.
D. C. Code § 25–104.

Compensation of members.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the positions of members of the Alcoholic Beverage Control Board for the District of Columbia shall be classified in accordance with the Classification Act of 1923, as amended.

SEC. 2. That the sentence in section 4 of the Act entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia", approved January 24, 1934, as amended, which reads: "The salary of each of the members of the Board shall be $5,000 per annum", shall remain in force and effect until the classifications provided for by the first section of this Act shall have been effected and thereafter said sentence shall stand repealed.

Approved April 20, 1948.

[CHAPTER 218]

AN ACT

April 20, 1948
[H. R. 4739]
[Public Law 490]

To amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of exposed X-ray film.

Tariff Act of 1930, amendment.
46 Stat. 675.
19 U. S. C. § 1201, par. 1629.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph 1629 of the Tariff Act of 1930 is hereby amended by inserting after "PAR. 1629." "(a)", and by adding at the end of the paragraph a new subparagraph to read as follows:

X-ray film.

"(b) X-ray film, exposed, whether or not developed."

(b) This Act shall be effective as to merchandise entered for consumption, or withdrawn from warehouse for consumption, on and after the thirtieth day after the enactment of this Act.

Approved April 20, 1948.

[CHAPTER 219]

AN ACT

April 20, 1948
[H. R. 5214]
[Public Law 491]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes.

Independent Offices Appropriation Act, 1949.
Post, pp. 1027, 1196.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, namely:

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President of the United States, $75,000.

THE WHITE HOUSE OFFICE

Salaries and expenses: For expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at $10,000 each, and other personal services in the District of Columbia; not to exceed $3,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); automobiles; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $35 per diem (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget); and travel and official entertainment expenses of the President, to be accounted for on his certificate solely; $969,612: *Provided*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

58 Stat. 394.
Post, p. 1049.
60 Stat. 810.
Temporary assistance.

For additional personal services, for The White House Office to meet emergencies that may arise, without regard to the provisions of law regulating the employment and compensation of persons in the Government service, $200,000.

EMERGENCY FUND FOR THE PRESIDENT

To provide for emergencies affecting the national interest or security, as the President may specify, without regard to such provisions of law regulating the expenditure of Government funds, $200,000: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Eightieth Congress or the first session of the Eighty-first Congress and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

Restriction.

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, $230,700.

BUREAU OF THE BUDGET

Salaries and expenses: For expenses necessary for the Bureau of the Budget and Federal Board of Hospitalization, including personal services in the District of Columbia and elsewhere; exchange of books; newspapers and periodicals (not exceeding $200); teletype news service (not exceeding $900); not to exceed $800 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); not to exceed $35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C.

58 Stat. 394.
Post, p. 1049.
60 Stat. 810.

55a), at rates not to exceed $35 per diem for individuals (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget); purchase of two passenger motor vehicles for replacement only; a health-service program as authorized by law (5 U. S. C. 150); and the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); $2,992,000.

60 Stat. 903.
60 Stat. 843.
Post, p. 1008.

Printing and binding: For printing and binding, $122,000.

Regional, etc., offices.

No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia.

COUNCIL OF ECONOMIC ADVISERS

Salaries and expenses: For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U. S. C. 1021), including personal services in the District of Columbia; travel expenses; printing and binding; newspapers and periodicals (not exceeding $200); press clippings (not exceeding $300); a health service program as authorized by law (5 U. S. C. 150); the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and not to exceed $900 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $300,000.

60 Stat. 23.
15 U. S. C. §§ 1021-1024.
60 Stat. 903.
60 Stat. 843.
Post, p. 1008.
58 Stat. 394.
Post, p. 1049.

OFFICE FOR EMERGENCY MANAGEMENT

PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading With the Enemy Act, as amended (50 U. S. C. App.), and the Philippine Property Act of 1946 (60 Stat. 418): *Provided*, That not to exceed $440,000 shall be available for the fiscal year 1949 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at $10,000 per annum; printing and binding; not to exceed $100 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); rent of private or Government-owned space in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws including temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); personal services in the District of Columbia and expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1948, the Philippine Alien Property Administrator shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1948, in connection with the activities of the Philippine Alien Property Administration.

40 Stat. 411.
50 U. S. C. app. §§ 1-38; Supp. I, § 4 *et seq.*
Post, pp. 1218, 1246.
22 U. S. C. §§ 1381-1386; Supp. I, § 1382 note.
58 Stat. 394.
Post, p. 1049.
60 Stat. 810.
Report to Congress.

INDEPENDENT OFFICES

AMERICAN BATTLE MONUMENTS COMMISSION

Salaries and expenses: For necessary expenses, as authorized by the Act of June 26, 1946 (36 U. S. C. 121, 123–132, 138), including the acquisition of land or interest in land in foreign countries; personal services in the District of Columbia; purchase and repair of uniforms for caretakers of national cemeteries and monuments outside of the

60 Stat. 317.
36 U. S. C., Supp. I, § 132 note.

United States and its Territories and possessions at a cost not exceeding $1,350; travel expenses; not to exceed $50 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); rent of office and garage space in foreign countries; the purchase of two passenger motor vehicles; printing, binding, engraving, lithographing, photographing, and typewriting; $355,000: *Provided*, That where station allowance has been authorized by the War Department for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the armed forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the armed forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

58 Stat. 394.
Post, p. 1049.

Station allowance.

Officers of armed forces, expenses.

Construction of memorials and cemeteries: For the permanent design and construction of memorials and cemeteries in foreign countries as authorized by the Act of June 26, 1946 (36 U. S. C. 121, 123–132, 138), and the Act of August 5, 1947 (Public Law 368), $723,500, to remain available until expended; and in addition the Commission is authorized to enter into contracts in the amount of $1,276,500 for the purposes of this appropriation.

60 Stat. 317.
36 U. S. C., Supp. I, § 132 note.
61 Stat. 779.
50 U. S. C., Supp. I, app. §§ 1811–1819.
Post, p. 334.

CIVIL SERVICE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; not to exceed $12,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not to exceed $10,000 for medical examinations performed for veterans by private physicians on a fee basis; travel expenses of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; not to exceed $500 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed $425,000 for printing and binding; $15,641,000, of which not to exceed $56,000 shall be available for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767); not to exceed $500,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); for a health service program as authorized by law (5 U. S. C. 150); for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and not to exceed $5,000 for actuarial services by contract, without regard to section 3709, Revised Statutes, as amended: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1949, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the Commission in Washington or of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force: *Provided further*, That members of the Loyalty Review Board in Washington and of the regional loyalty boards in the field may be paid actual transportation expenses, and not to exceed $10 per diem in lieu of subsistence while traveling on official business away from their homes or regular places of business, and while en route to and from and at the place where their services are to be

60 Stat. 810.

18 U. S. C. §§ 61a, 61h, 61j, 61*l*–61t.
Post, p. 868.
58 Stat. 394.
Post, p. 1049.
60 Stat. 903.
60 Stat. 843.
Post, p. 1008.

41 U. S. C. § 5.
Details, restriction.

Emergency transfers or details.

Loyalty Review Board.

Post, p. 863.

performed: *Provided further*, That nothing in sections 109 and 113 of the Criminal Code (18 U. S. C. 198, 203) or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of his appointment for part-time or intermittent service as a member of the Loyalty Review Board or a regional loyalty board in the Civil Service Commission.

Legal Examining Unit.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order Numbered 9358 of July 1, 1943.

3 CFR, 1943 Supp., p. 30.

Compensation of officers allocating supervisory positions.

No part of appropriations herein shall be used to pay the compensation of officers and employees of the Civil Service Commission who allocate or reallocate supervisory positions in the classified civil service solely on the size of the group, section, bureau, or other organization unit, or on the number of subordinates supervised. References to size of the group, section, bureau, or other organization unit or the number of subordinates supervised may be given effect only to the extent warranted by the work load of such organization unit and then only in combination with other factors, such as the kind, difficulty, and complexity of work supervised, the degree and scope of responsibility delegated to the supervisor, and the kind, degree, and value of the supervision actually exercised.

PANAMA CANAL CONSTRUCTION ANNUITY FUND

58 Stat. 258.

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944, as amended (48 U. S. C. 1373a), $2,259,098.

CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

41 Stat. 614.
5 U. S. C. §§ 691–738; Supp. I, § 691 *et seq.*

For financing the liability of the United States, created by the Act approved May 22, 1920, and Acts amendatory thereof (5 U. S. C. chap. 14), $224,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

CANAL ZONE RETIREMENT AND DISABILITY FUND

46 Stat. 1479.

For financing the liability of the United States, created by the Act approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), $1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

49 Stat. 2017.

For financing the liability of the United States created by the Act approved June 29, 1936 (5 U. S. C. 745), $217,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

FEDERAL COMMUNICATIONS COMMISSION

47 U. S. C. § 151 *et seq.*; Supp. I, § 151 *et seq.*
36 Stat. 629.

Salaries and expenses: For necessary expenses in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484–487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea,

50 Stat. 1146.

ratified by the President July 7, 1936, including contract stenographic

reporting services, special counsel fees, health service program as authorized by law (5 U. S. C. 150), improvement and care of grounds and repairs to buildings (not to exceed $17,500), purchase of not to exceed fifteen passenger motor vehicles for replacement only, travel expenses (not to exceed $122,500), not to exceed $17,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d) and reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, $6,310,000, of which amount not to exceed $3,695,500 may be expended for personal services in the District of Columbia.

60 Stat. 903.

58 Stat. 394.
Post, p. 1049.

50 Stat. 195.
47 U. S. C. § 357.

Printing and binding: For printing and binding for the Federal Communications Commission, $40,000.

FEDERAL POWER COMMISSION

Salaries and expenses: For expenses necessary for the work of the Commission as authorized by law except for the work authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (58 Stat. 892, 904), authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, including not to exceed $245,500 for travel; health service program as authorized by law (5 U. S. C. 150); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); not to exceed $8,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); purchase of three and hire of passenger motor vehicles; $3,649,550, of which amount not to exceed $2,122,000 shall be available for personal services in the District of Columbia exclusive of not to exceed $10,000 for special counsel and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), but at rates not exceeding $35 per diem for individuals (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget).

52 Stat. 1216.

33 U. S. C. §§ 701f, 701j notes.

60 Stat. 903.

60 Stat. 843.
Post, p. 1008.
58 Stat. 394.
Post, p. 1049.

60 Stat. 810.

Flood-control surveys: For expenses necessary for the work of the Commission as authorized by the Act of June 28, 1938 (33 U. S. C. 701j), and sections 10 and 12 of the Act of December 22, 1944 (58 Stat. 892, 904), including contract stenographic reporting services; $340,000, of which amount not to exceed $142,000 shall be available for personal services in the District of Columbia.

52 Stat. 1216.

33 U. S. C. §§ 701f, 701j notes.

Printing and binding: For printing and binding, including engraving, lithographing, and photolithographing, $60,000.

FEDERAL TRADE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by law (5 U. S. C. 150); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); contract stenographic reporting services; newspapers not to exceed $500; and not to exceed $9,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $3,401,510, of which not less than $228,695 shall be available for the enforcement of the Wool Products Labeling Act; and not less than $207,000 shall be available for the Trade Practice Conference Rule work: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

60 Stat. 903.

60 Stat. 843.
Post, p. 1008.

58 Stat. 394.
Post, p. 1049.
54 Stat. 1128.
15 U. S. C. §§ 68-68j.

Restriction on use of funds.

Printing and binding: For all printing and binding for the Federal Trade Commission, $46,525.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at $10,000 each per annum; printing and binding (not to exceed $6,000); purchase of newspapers and periodicals (not to exceed $150); health service program as authorized by law (5 U. S. C. 150); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; travel expenses; not to exceed $4,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) but at rates for individuals not in excess of $35 per diem (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget); $344,540.

60 Stat. 903.

60 Stat. 810.

Public Works Administration liquidation: The funds made available for "Public Works Administration liquidation" by the Second Deficiency Appropriation Act, 1944, as amended by the First Deficiency Appropriation Act, 1945, the First Deficiency Appropriation Act, 1946, the Third Deficiency Appropriation Act, 1946, and the Independent Offices Appropriation Act, 1948, are hereby continued available until June 30, 1949, of which not to exceed $21,200 shall be available for administrative expenses during the fiscal year 1949.

58 Stat. 602; 59 Stat. 80, 638; 60 Stat. 611; 61 Stat. 592.

Penalty mail costs: For deposit in the Treasury for penalty mail of the Federal Works Agency (39 U. S. C. 321d), $28,800.

58 Stat. 394.
Post, p. 1049.

Damage claims: For payment of claims arising from the activity of the Federal Works Agency pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $10,000.

60 Stat. 843.
Post, p. 1008.

PUBLIC BUILDINGS ADMINISTRATION

Maintenance.

35 Stat. 537.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

General administrative expenses: For necessary expenses of the Public Buildings Administration, including personal services in the District of Columbia, and printing and binding (not to exceed $10,000); ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance; $2,160,500: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Surveys, models, etc.

Repair, preservation, and equipment, outside the District of Columbia: For the repair, alteration, improvement, preservation, and equipment, not otherwise provided for, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding of sites acquired for Federal buildings and of surplus

real property, the custody of which is the responsibility of the Public Buildings Administration under the Act of August 27, 1935, pending sale or disposition; the demolition of buildings thereon; the purchase and repair of equipment and fixtures in buildings under the administration of the Federal Works Agency; and for changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533); $10,000,000: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

49 Stat. 885. 40 U. S. C. §§ 304a-304e.

Pneumatic-tube system, New York City.

Limitation.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For expenses necessary for the administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses; the purchase of two passenger motor vehicles for replacement only; furnishings and equipment; arms and ammunition for the guard force; and purchase, repair, and cleaning of uniforms for guards and elevator conductors; $30,115,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Use of present furniture.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For expenses necessary for the administration, operation, protection, and maintenance of public buildings and grounds outside the District of Columbia maintained and operated by the Public Buildings Administration, including cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia, arms, ammunition, uniforms for guards and elevator conductors, the purchase of five passenger motor vehicles for replacement only, expenses incident to moving Government agencies in connection with the assignment, allocation, and transfer of building space, and the restoration of leased premises, $22,220,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Use of present furniture.

Under the appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, per diem employees may be paid at rates approved by the Commissioner of Public Buildings not exceeding current rates for similar services in the place where such services are employed, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator.

Per diem employees.

The appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, shall be available for printing and binding and for communication services serving one

Availability of funds.

or more governmental activities, and for services to motor vehicles, and where such services, together with quarters, maintenance, or other services, are furnished on a reimbursable basis to any governmental activity, such activity shall make payment therefor promptly by check upon the request of the Public Buildings Administration, either in advance or after the service has been furnished, for deposit to the credit of the applicable appropriation, of all or part of the estimated or actual cost thereof, as the case may be, proper adjustment upon the basis of actual cost to be made for services paid for in advance.

Costs of maintenance, upkeep, and repair paid by Government corporations pursuant to section 306 of the Government Corporations Appropriation Act, 1948, shall be credited to the appropriations of the Public Buildings Administration bearing such costs.

61 Stat. 584.
40 U. S. C., Supp. I, § 129.

Funds available to the Public Buildings Administration shall also be available for health-service programs as authorized by law (5 U. S. C. 150).

60 Stat. 903.

Hospital center, District of Columbia: For an additional amount for carrying out the purposes of the Act of August 7, 1946 (60 Stat. 896), including the construction of a hospital center in the District of Columbia, $500,000, to remain available until expended, and in addition thereto the Public Buildings Administration is authorized to enter into contracts for such purposes in an amount not exceeding $19,500,000.

Geophysical Institute, Alaska: For the establishment of a geophysical institute at the University of Alaska, as authorized by the Act of July 31, 1946 (48 U. S. C. 175, 175a), $100,000, to be immediately available and to remain available until expended, and in addition thereto the Public Buildings Administration is authorized to enter into contracts for this purpose in an amount not exceeding $875,000: *Provided*, That no part of this appropriation shall become available unless and until title to the land upon which said institute is to be constructed shall have been conveyed to the United States: *Provided further*, That, notwithstanding the provision of any other law, all buildings and equipment constructed or acquired with funds herein appropriated or under authority to contract shall, upon the establishment of the institute, be the property of the United States.

60 Stat. 750.

Funds available to the Public Buildings Administration for construction shall be available for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $35 per diem (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget).

60 Stat. 810.

Converting from coal to oil, etc.
Post, p. 1205.

No part of the foregoing appropriations to the Federal Works Agency shall be used for the purpose of converting any existing coal heating units to oil or natural gas in any federally owned or rented buildings in or outside the District of Columbia when there is a fuel oil shortage.

PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed $55,000), purchase of periodicals, purchase of one hundred passenger motor vehicles for replacement only, health service program as authorized by law (5 U. S. C. 150), and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization,

60 Stat. 903.

and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

Road-making experiments.

39 Stat. 355.
Post, p. 1107.
42 Stat. 217.

In carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended and supplemented (23 U. S. C. 1–117), none of the money appropriated for the work of the Public Roads Administration during the fiscal year 1949 shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided*, That during the fiscal year 1949, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies, cooperating foreign countries and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1949 the appropriations for the work of the Public Roads Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public Roads Administration, and for sale and for distribution to other Government activities, cooperating foreign countries and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding $15,000) for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), but at rates for individuals not in excess of $35 per diem (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget).

Construction of rural post roads.

39 Stat. 355.
Post, p. 1107.

Depreciation on equipment.

Warehouse maintenance, etc.

Medical supplies, etc., in emergencies.

Temporary services.

60 Stat. 810.

For all necessary expenses to enable the President to utilize the services of the Public Roads Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics, signed at Buenos Aires, December 23, 1936, and proclaimed September 16, 1937 (51 Stat. 152), for the continuation of cooperation with several governments, members of the Pan American Union, in connection with the survey and construction of the Inter-American Highway as provided in public resolution, approved March 4, 1929 (Public Resolution 104), as amended or supplemented, and for performing engineering service in Pan-American countries for and upon the request of any agency or governmental corporation of the United States, $100,000 to be derived from the administrative funds provided under the Act of

Inter-American Highway.
Fulfillment of U. S. obligations.

45 Stat. 1697.

39 Stat. 355.
42 Stat. 217.
Post, p. 1107.

July 11, 1916, as amended or supplemented (23 U. S. C. 21), or as otherwise provided.

Elimination of grade crossings: For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, $7,300,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1943, by section 5 of the Act approved September 5, 1940 (54 Stat. 869).

23 U. S. C. §§ 60–63.

Federal-aid postwar highways: For carrying out the provisions of the Federal-Aid Highway Act of 1944 (58 Stat. 838), $427,288,854, to be immediately available and to remain available until expended, which sum is composed of $77,288,854, the remainder of the amount authorized to be appropriated for the first postwar fiscal year by section 2 of said Act, and $350,000,000, a part of the amount authorized to be appropriated for the second postwar year by said section 2.

Testing and research laboratory: For continuing the construction of a laboratory, on a site already acquired, for permanent quarters for the testing and research work of the Public Roads Administration, $1,000,000, to remain available until expended.

Access roads: During the fiscal year 1949, not to exceed $70,000 of funds remaining unexpended upon completion of access road projects authorized to be constructed under the provisions of the Defense

55 Stat. 766; 56 Stat. 562.

Highway Act of 1941, as amended by the Act of July 2, 1942 (23 U. S. C. 106), shall be available for the maintenance of roads and bridges under the jurisdiction of the Public Roads Administration on Government-owned land in Arlington County, Virginia.

BUREAU OF COMMUNITY FACILITIES

Liquidation of public works advance planning: Not to exceed $675,000 of the unobligated balance on June 30, 1947, of the funds made available for public works advance planning under title V of

50 U. S. C. app. § 1671.

the War Mobilization and Reconversion Act of 1944 (58 Stat. 791) shall be available during the fiscal year 1949 for administrative expenses incident to the liquidation of the activity for which said funds were appropriated, including the objects specified under this

59 Stat. 112.

head in the Independent Offices Appropriation Act, 1946: *Provided*,

Accumulated leave.

That $20,000 of the foregoing amount shall be for payment for accumulated and accrued leave of employees separated from the Government service due to said liquidation.

Virgin Islands public works: For an additional amount to carry out the provisions of the Act of December 20, 1944 (58 Stat. 827), $896,250.

War public works (community facilities) liquidation: For administrative expenses necessary during the fiscal year 1949 for the liquidation of all activities under titles II, III, and IV of the Act of

55 Stat. 361; 56 Stat. 212.

October 14, 1940, as amended (42 U. S. C. 1531–1534, 1541, and 1562), including personal services and rents in the District of Columbia; printing and binding; health service program as authorized by law

60 Stat. 903.

(5 U. S. C. 150); not to exceed $337,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II, III, and IV of the Act of October 14, 1940, as amended

55 Stat. 361; 56 Stat. 212.

(42 U. S. C. 1531–1534, 1541, and 1562), of which amount $29,000 shall be for payment for accumulated and accrued leave of employees separated from the Government service due to said liquidation.

Veterans' educational facilities: The limitation on the amount for administrative expenses under this head in the Third Deficiency

60 Stat. 612.

Appropriation Act, 1946, as supplemented by the Second Deficiency

Appropriation Act, 1947, is hereby increased from $3,750,000 to $4,000,000, of which amount $467,000 shall be used exclusively for payment for accumulated and accrued leave. 61 Stat. 108.

GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, $31,429,000. *Post*, p. 1034.

Miscellaneous expenses: For necessary expenses, including printing and binding and the purchase of one passenger motor vehicle, $1,732,000, of which not to exceed $50,000 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d). 58 Stat. 394. *Post*, p. 1049.

Appropriations for the General Accounting Office shall be available for a health service program as authorized by law (5 U. S. C. 150), for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) at rates for individuals not in excess of $35 per diem (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget). 60 Stat. 903. 60 Stat. 843. *Post*, p. 1008. 60 Stat. 810.

INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726), creating an Indian Claims Commission, including personal services in the District of Columbia; printing and binding; and for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $90,000. 60 Stat. 1049. 25 U. S. C. §§ 70–70v. 58 Stat. 394. *Post*, p. 1049.

INTERSTATE COMMERCE COMMISSION

General expenses: For expenses necessary in performing the functions vested by law in the Commission (49 U. S. C. 1–24, 301–327, 901–923, 1001–1022), except those otherwise specifically provided for in this Act, and for general administration, including one chief counsel, one director of finance, one director of motor transport, and one director of traffic, at $10,000 each per annum; not to exceed $50,000 for the employment of special counsel; contract stenographic reporting services; personal services in the District of Columbia; newspapers (not to exceed $200); health service program as authorized by law (5 U. S. C. 150); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and purchase of thirty-two passenger automobiles, of which sixteen shall be for replacement only; $9,131,317: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such: *Provided further*, That not to exceed $5,000 may be used for the purchase of evidence in connection with investigations of apparent violations of part II of the Interstate Commerce Act. 60 Stat. 903. 60 Stat. 843. *Post*, p. 1008. Government transportation requests. 49 Stat. 543; 54 Stat. 919. 49 U. S. C. §§ 301–327.

Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1–15, 17–21, 35–46, 61–64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35–37), and to require carriers by railroad subject to the Act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors, engineers, and personal services in the District of Columbia, $908,000. 34 Stat. 838; 35 Stat. 325. 41 Stat. 498.

Locomotive inspection: For expenses necessary in the enforcement of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", as amended (45 U. S. C. 22–34), including personal services in the District of Columbia, $615,000.

36 Stat. 913.
45 U. S. C., Supp. I, §§ 24–26.

Printing and binding: For all printing and binding for the Interstate Commerce Commission, including not to exceed $17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, $205,000.

Penalty mail costs: For deposit in the Treasury for penalty mail of the Interstate Commerce Commission (39 U. S. C. 321d), $35,000.

58 Stat. 394.
Post, p. 1049.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

Contribution to Interstate Commission on the Potomac River Basin: To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the fiscal year 1949 in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), $5,000.

33 U. S. C. § 567b.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses: For necessary expenses of the Committee, including contracts, without regard to section 3709, Revised Statutes, as amended, for the making of special investigations and reports and for engineering and drafting services; traveling expenses of members and for examination of estimates of appropriations and activities in the field; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the Flight Propulsion Research Laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; purchase of three (not to exceed $25,000) and maintenance and operation of aircraft; purchase of seven passenger motor vehicles of which six shall be for replacement; personal services in the District of Columbia; not to exceed $12,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); not to exceed $10,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) at not to exceed $35 per diem for individuals (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget); including $2,500 for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and a health service program for employees as authorized by law (5 U. S. C. 150); in all, $37,810,000: *Provided*, That statutory provisions prohibiting the payment of compensation to aliens shall not apply to any person whose employment by the Committee shall be determined by the Chairman thereof to be necessary: *Provided further*, That aircraft and parts, equipment, and supplies may be transferred to the Committee by the Air Force, Army, and Navy without reimbursement.

41 U. S. C. § 5.

Aeronautical laboratories.

58 Stat. 394.
Post, p. 1049.
60 Stat. 810.
Post, p. 1034.

60 Stat. 843.
Post, p. 1008.
60 Stat. 903.

Compensation to aliens.

Transfer of equipment.

Printing and binding: For printing and binding, $95,000.

Construction and equipment: For construction and equipment at laboratories and research stations of the Committee, $10,000,000, to be available until June 30, 1950, and of which $2,143,000 shall be available for payments under contracts entered into pursuant to the contract authority under this head in the Independent Offices Appropriation Act, 1948: *Provided*, That in addition, the Committee may, prior to

61 Stat. 599.

July 1, 1950, enter into contracts for the purposes of this appropriation in an amount not in excess of $18,200,000.

NATIONAL ARCHIVES

Salaries and expenses: For necessary expenses of the Archivist and the National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; contract stenographic reporting services; not to exceed $100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed $675 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); and travel expenses; $1,334,555, of which $1,000 is for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

58 Stat. 394.
Post, p. 1049.

60 Stat. 843.
Post, p. 1008.

Printing and binding: For all printing and binding, $23,500.

NATIONAL CAPITAL HOUSING AUTHORITY

Maintenance and operation of properties: For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, $23,400: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

52 Stat. 1186.
D. C. Code §§ 5-103 to 5-111; Supp. VI, § 5-103 *et seq.*

Penalty mail costs: For deposit in the Treasury for penalty mail of the National Capital Housing Authority (39 U. S. C. 321d), $1,300.

58 Stat. 394.
Post, p. 1049.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Land acquisition, National Capital and metropolitan area: For necessary expenses for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by the Act of May 29, 1930 (46 Stat. 482), and amendment of August 8, 1946 (60 Stat. 960); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and real estate appraisers, by contract or otherwise without regard to the civil service and classification laws and section 3709, Revised Statutes, at rates of pay or fees not to exceed those usual for similar services; purchase of options and other costs incident to the acquisition of land; not to exceed $30 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $400,000, to remain available until expended, $159,000 of said sum to be used for carrying out the provisions of section 1 (b) of said Act and $241,000 for carrying out the provisions of section 4 of said Act.

D. C. Code § 8-102 note.

60 Stat. 810.

41 U. S. C. § 5.

58 Stat. 394.
Post, p. 1049.

46 Stat. 484, 485.

D. C. Code § 8-106 note.

OFFICE OF SELECTIVE SERVICE RECORDS

Salaries and expenses: For expenses necessary for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26), including not to exceed $50,000 for printing and binding; personal services in the District of Columbia; contract stenographic reporting services; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); not to exceed $21,000 for deposit in the

61 Stat. 31.
50 U. S. C., Supp. I, app. §§ 321-329; 38 U. S. C., Supp. I, § 695.

60 Stat. 843.
Post, p. 1008.

58 Stat. 394.
Post, p. 1049.
60 Stat. 903.

Treasury for penalty mail (39 U. S. C. 321d); and health-service program as authorized by law (5 U. S. C. 150); $2,476,700.

PHILIPPINE WAR DAMAGE COMMISSION

60 Stat. 128.
50 U. S. C. app. §§ 1751–1763.
Ante, p. 4.

Philippine War Damage Commission: For carrying out the provisions of title I of the Philippine Rehabilitation Act of 1946, $95,000,000, to remain available until April 30, 1951, of which not to exceed $2,907,991 shall be for necessary expenses of the Philippine War Damage Commission for the fiscal year 1949, including personal services in the District of Columbia; purchase of seven passenger motor vehicles; housing of American employees by rental or lease and necessary repairs and alterations to and maintenance of quarters, without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a); printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and not to exceed $200 for deposit in the Treasury for penalty mail (39 U. S. C. 321d): *Provided*, That no payment shall be made under the provisions of such title of such Act to any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy or of any act involving disloyalty to the United States or the Commonwealth of the Philippines: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 which would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act.

47 Stat. 412.
40 Stat. 1270.
60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
Persons guilty of disloyalty.
Restriction on use of funds.
60 Stat. 128.
50 U. S. C. app. §§ 1751–1806.
Ante, p. 4; *post*, p. 1224.

SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by law (5 U. S. C. 150); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); not to exceed $1,150 for the purchase of newspapers; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and not to exceed $22,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $5,732,140.

60 Stat. 903.
60 Stat. 843.
Post, p. 1008.
60 Stat. 810.
58 Stat. 394.
Post, p. 1049.

Printing and binding: For all printing and binding for the Securities and Exchange Commission, $94,000.

SMITHSONIAN INSTITUTION

Salaries and expenses, Smithsonian Institution: For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts; for the administration, and for the construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the maintenance and administration of a national air museum as authorized by the Act of August 12, 1946 (20 U. S. C. 921); including

Astrophysical Observatory.
National Collection of Fine Arts.
54 Stat. 724.
48 U. S. C. §§ 1381–1387; Supp. I, § 1381 note.
60 Stat. 1101.
5 U. S. C. § 133y–16 note.
60 Stat. 997.
20 U. S. C. §§ 77–77d.

personal services in the District of Columbia and not to exceed $35,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); traveling expenses; not to exceed $2,600 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); printing and binding, not exceeding $150,000, of which not to exceed $16,800 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; and not exceeding $5,500 for preparation of manuscripts, drawings, and illustrations for publications; $2,090,000.

60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
60 Stat. 843.
Post, p. 1008.
American Historical Association, report.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District of Columbia; health-service program as authorized by law (5 U. S. C. 150); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); traveling expenses; not to exceed $1,600 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); not to exceed $250 for payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; not to exceed $7,000 for printing and binding; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; $966,000: *Provided*, That section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed $15,000.

National Gallery of Art.
20 U. S. C. §§ 71–75.
53 Stat. 577.
20 U. S. C. § 74.
60 Stat. 903.
60 Stat. 843.
Post, p. 1008.
60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. §§ 661–674.

TARIFF COMMISSION

Salaries and expenses: For necessary expenses of the Tariff Commission, including personal services in the District of Columbia, subscriptions to newspapers not to exceed $250, health service program as authorized by law (5 U. S. C. 150), contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and not to exceed $1,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d), $1,180,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That during the fiscal year ending June 30, 1949, the salaries of the Commissioners of the United States Tariff Commission shall be at the rate of $10,000 per annum.

60 Stat. 903.
60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
46 Stat. 701.
19 U. S. C. §§ 1336–1338.
Salaries of Commissioners.

Printing and binding: For printing and binding, $20,000.

THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For necessary expenses, including contract stenographic reporting services, $754,700, of which not to exceed $675 shall be available for deposit in the Treasury for penalty mail (39

58 Stat. 394. *Post*, p. 1049.

U. S. C. 321d): *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

Printing and binding: For printing and binding, $17,500.

INDEPENDENT OFFICES—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 102. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Payment of salaries, etc., restriction.

SEC. 103. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Travel expenses.

SEC. 104. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations.

Purchase of newspapers and periodicals.

SEC. 105. Where appropriations in this Act are expendable for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor under each such appropriation may not exceed the amount of $50: *Provided*, That this limitation shall not apply to the purchase of scientific, technical, trade, or traffic periodicals necessary in connection with the performance of the authorized functions of the agencies for which funds are herein provided.

Positions formerly held by employees who entered armed forces.

SEC. 106. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified

to perform the duties of his former position and has not been restored thereto.

Attendance at meetings.

SEC. 107. Appropriations contained in this Act, available for expenses of travel, shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

Accounting systems.

SEC. 108. No part of any appropriation or fund contained in this Act shall be available for installing or maintaining systems for administrative appropriation, fund, or inventory accounting except such systems as are prescribed or approved by the Comptroller General: *Provided*, That all agencies for whose activities provision is made in this Act shall hereafter maintain fiscal accounting control of all inventories of supplies, materials, or equipment which may be owned by or be in the custody of such agencies.

TITLE II—GENERAL PROVISIONS

Motor vehicles.

SEC. 201. Unless otherwise specifically provided, the maximum amount allowable, in accordance with section 16 of the Act of August 2, 1946 (Public Law 600), for the purchase of any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), is hereby fixed at $1,400.

60 Stat. 810.
5 U. S. C. §§ 77, 78.

Citizenship requirement.

SEC. 202. Unless otherwise specified and until July 1, 1949, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than $4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

Affidavit.

Penalty.

Recoupment.

Nonapplicability.

Per diem allowances.

SEC. 203. Appropriations for the executive departments and independent establishments for the fiscal year 1949 available for travel expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821–833), to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall, in no case, notwithstanding any other provision of law, exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

44 Stat. 688.

Allowances for living quarters.

SEC. 204. Appropriations of the executive departments and independent establishments for the fiscal year 1949, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and cost of living allowances similar to those allowed under section 901 (2) of the Foreign Service Act of 1946, in accordance with and to the extent prescribed by regulations of the President, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Department of State under the caption "Foreign Service" shall not be affected hereby.

46 Stat. 818.

60 Stat. 1026.
22 U. S. C. § 1131 (2).

Senate disapproval of nomination, effect.

SEC. 205. No part of any appropriation for the fiscal year 1949 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

U. S. Code Annotated; Lifetime Federal Digest.

SEC. 206. No part of any appropriation contained in this or any other Act shall be used to pay in excess of $4 per volume for the current and future volumes of the United States Code Annotated and such volumes shall be purchased on condition and with the understanding that cumulative annual pocket parts shall be furnished free of charge, or in excess of $4.25 per volume for the current or future volumes of the Lifetime Federal Digest.

Employment outside continental U. S.
Post, p. 1205.

SEC. 207. Except as otherwise provided by law, any appropriations or funds available to the executive departments, independent establishments, and corporations for the payment of salaries and compensation to persons employed outside the continental United States or in Alaska shall be available for the payment of such salaries and compensation only in accordance with regulations prescribed by the President at rates of pay equal to those paid for the same or similar services of persons employed by the Government in continental United States, plus not to exceed 25 per centum: *Provided*, That no such salary or compensation shall exceed the maximum provided by the Classification Act of 1923, as amended.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts available to the Federal Works Agency from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

FEDERAL WORKS AGENCY

58 Stat. 791.
50 U. S. C. app. § 1671.

Office of the Administrator: Public works advance planning, under title V of the War Mobilization and Reconversion Act of 1944, $1,036,000.

Office of the Administrator: Public Works Administration liquidation: $387,647 of the unexpended balances of the funds heretofore made available to said Administration required to liquidate obligations incurred prior to June 30, 1944.

Public Roads Administration: Access roads (national defense), $1,569,111.

60 Stat. 948.

Bureau of Community Facilities: Emergency relief for the Territory of Hawaii, under section 1 of the Act entitled "An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes", $100,000.

Short title.

This Act may be cited as the "Independent Offices Appropriation Act, 1949".

Approved April 20, 1948.

[CHAPTER 222]

AN ACT

To exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code.

April 20, 1948
[H. R. 5052]
[Public Law 492]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 209 (b) (15) of the Social Security Act, as amended (U. S. C., 1940 edition, Supp. V, title 42, sec. 409 (b) (15)), and section 1426 (b) (15) of the Internal Revenue Code, as amended, are hereby amended to read as follows:

Social Security Act and Internal Revenue Code, amendments.
53 Stat. 1376, 1386.
42 U. S. C. § 409 (b) (15); 26 U. S. C. § 1426 (b) (15).

"(15) (A) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

"(B) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price his compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him, whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back; or".

(b) The amendment made by subsection (a) to section 209 (b) (15) of the Social Security Act shall be applicable with respect to services performed after the date of the enactment of this Act, and the amendment made to section 1426 (b) (15) of the Internal Revenue Code shall be applicable with respect to services performed after December 31, 1939.

SEC. 2. (a) Section 1607 (c) (15) of the Internal Revenue Code, as amended, is hereby amended to read as follows:

53 Stat. 1395.
26 U. S. C. § 1607 (c) (15).

"(15) (A) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

"(B) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him, whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back;".

(b) The amendment made by subsection (a) shall be applicable with respect to services performed after December 31, 1939, and, as to services performed before July 1, 1946, shall be applied as if such amendment had been a part of section 1607 (c) (15) of the Internal Revenue Code as added to such code by section 614 of the Social Security Act Amendments of 1939.

53 Stat. 1395.
26 U. S. C. § 1607 (c) (15).

SEC. 3. If any amount paid prior to the date of the enactment of this Act constitutes an overpayment of tax solely by reason of an amendment made by this Act, no refund or credit shall be made or allowed with respect to the amount of such overpayment.

Overpayment of tax.

JOSEPH W. MARTIN JR
Speaker of the House of Representatives.

A H VANDENBERG
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
April 14, 1948.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 5052) entitled "An Act to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS
Clerk.

Certificate of origin.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
April 20 (legislative day, March 29), 1948.

Certificate of Senate.

The Senate having proceeded to reconsider the bill (H. R. 5052) "An Act to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER
Secretary.

[CHAPTER 223]

AN ACT

April 21, 1948
[H. R. 2645]
[Public Law 493]

To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior.

U. S. commissioners. Appointments to certain national parks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U. S. C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

56 Stat. 134.
16 U. S. C. § 408m.

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U. S. C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

46 Stat. 228.
16 U. S. C. § 395e.

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the

park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U. S. C., 1940 edition, Supp. V, title 16, sec. 404c–5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 318.
16 U. S. C. § 404c–5.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes", approved March 6, 1942 (U. S. C., 1940 edition, Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 137.
16 U. S. C. § 256d.

Approved April 21, 1948.

[CHAPTER 224]

AN ACT

April 21, 1948
[H. R. 3484]
[Public Law 494]

To transfer the Remount Service from the Department of the Army to the Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the interests of economy and efficiency, the records, property, real and personal, and civilian personnel of the Remount Service of the Quartermaster Corps, Department of the Army, are hereby transferred to the Department of Agriculture, effective July 1, 1948. Prior to that date, the Secretary of the Army and the Secretary of Agriculture shall enter into a written agreement on the property and the personnel covered by this transfer.

Remount Service.
Transfer to Department of Agriculture.

Effective date.

SEC. 2. The Secretary of Agriculture is authorized to receive the property transferred by this Act and is directed to administer it in such manner as he deems will best advance the livestock and agricultural interests of the United States, including improvement in the breeding of horses suited to the needs of the United States; the acquisition by purchase in the open market, exchange, hire, or donation of breeding stock, and necessary land, buildings, and facilities; the use of horses in the improvement of the supply of horses available in agriculture; the demonstration of the quality and usefulness of horses through participation in and lending for use in fairs, shows, and other events, or otherwise; the loan, sale, or hire of animals or animal products through such arrangements and subject to such fees as are deemed necessary by the Secretary to accomplish the purposes of this Act, and, in carrying out such program, the Secretary is authorized to cooperate with public and private organizations and individuals under such rules and regulations as are deemed by him to be necessary.

Administration.

SEC. 3. Until June 30, 1949, the Secretary of the Army may detail to the Department of Agriculture such military personnel, including officers in the Veterinary Corps of the Medical Department, as he may determine with the Secretary of Agriculture to be desirable to effectuate the purposes of this Act or to safeguard the interest of the United States. Notwithstanding the limitations contained in existing law, retired officer personnel of the Department of the Army, if employed by the Department of Agriculture for the purposes of this Act only, may receive in addition to their retired pay civilian salary to the extent that the total from both sources does not exceed the pay and allowances received by such persons in the permanent grade last held by them prior to retirement.

Detail of military personnel.

Retired officer personnel.

Appropriation authorized.
Post, p. 1037.

SEC. 4. There is hereby authorized to be appropriated to the Department of Agriculture such funds as may be necessary to carry out this Act. The authority of the Department of the Army to conduct a remount breeding program is hereby abolished. Funds appropriated pursuant to this Act shall be available for necessary administrative expenses, including personal services in the District of Columbia, printing and binding, and purchase or hire of passenger motor vehicles.

Approved April 21, 1948.

[CHAPTER 225]

AN ACT

April 21, 1948
[H. R. 4326]
[Public Law 495]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Bankruptcy Act, amendment.
47 Stat. 1471.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 75 (c) (U. S. C., title 11, sec. 203) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be and is amended to read as follows:

Petition by farmer.

"(c) At any time prior to March 1, 1949, a petition may be filed by any farmer in the district court of the district in which he resides, stating that such farmer is insolvent or unable to meet his debts as they mature and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Approved April 21, 1948.

[CHAPTER 229]

AN ACT

April 24, 1948
[S. 2038]
[Public Law 496]

To enable the Secretary of Agriculture to conduct research on foot-and-mouth disease and other diseases of animals and to amend the Act of May 29, 1884 (23 Stat. 31), as amended, by adding another section.

Foot-and-mouth disease.
7 U. S. C. § 391; Supp. I, § 391 note; 21 U. S. C. §§ 112–115, 117–120, 130.
Research laboratories.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 29, 1884 (23 Stat. 31), as amended, is hereby amended by adding a new section 12 reading as follows:

"SEC. 12. The Secretary of Agriculture is authorized to establish research laboratories, including the acquisition of necessary land, buildings, or facilities, and also the making of research contracts under the authority contained in section 10 (a) of the Bankhead-Jones Act of 1935, as amended by the Research and Marketing Act of 1946, for research and study, in the United States or elsewhere, of foot-and-mouth disease and other animal diseases which in the opinion of the Secretary constitute a threat to the livestock industry of the United States: *Provided*, That no live virus of foot-and-mouth disease may be introduced for any purpose into any part of the mainland of the United States except coastal islands separated therefrom by waters navigable for deep-water navigation and which shall not be connected with the mainland by any tunnel, and except further, that in the event of outbreak of foot-and-mouth disease in this country, the Secretary of Agriculture may, at his discretion, permit said virus to be brought into the United States under adequate safeguards. To carry out the provisions of this section, the Secretary is authorized to employ technical experts or scientists without regard to the Classification Act:

60 Stat. 1085.
7 U. S. C. § 427i(a).

Live virus.

Technical experts.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

Provided, That the number so employed shall not exceed five and that the maximum compensation for each shall not exceed $15,000 per annum. There is hereby authorized to be appropriated such sums as Congress may deem necessary; in addition, the Secretary is authorized to utilize, in carrying out this section, funds otherwise available for the control or eradication of such diseases."

Appropriation authorized.
Post, pp. 515, 1037.

Approved April 24, 1948.

[CHAPTER 230]

AN ACT

April 24, 1948
[H. R. 3703]
[Public Law 497]

To authorize transfer of surplus real property to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any Federal agency administering real property situated within the boundaries of a national park or national monument and surplus to its needs or any other Federal agency or instrumentality holding such property for disposal only, is authorized, with the approval of the President of the United States, to transfer surplus real property or interest therein to the Department of the Interior without reimbursement or transfer of funds, having an aggregate appraised value not to exceed $500,000, upon determination by the Secretary of the Interior that it is in the Federal interest to consolidate such Federal holdings within areas administered by the National Park Service.

Transfer of surplus real property in national parks, etc.

SEC. 2. Any real property or interest therein transferred pursuant to section 1 of this Act shall become a part of the area with which it is consolidated and shall be subject to all the laws and regulations applicable thereto. The authorization conferred by this Act, unless extended by Congress, shall expire July 1, 1952.

Termination.

Approved April 24, 1948.

[CHAPTER 231]

JOINT RESOLUTION

April 26, 1948
[S. J. Res. 207]
[Public Law 498]

To provide for the commemoration of the sesquicentennial anniversary of the establishment of the Department of the Navy.

Whereas the Department of the Navy was created by the Act entitled "An Act to establish an Executive Department, to be denominated the Department of the Navy", approved April 30, 1798 (1 Stat. 553); and

Navy Department.

Whereas by such Act the Secretary of the Navy was charged with the duty "to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States": Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed by appropriate order to designate April 30, 1948, as a day to be observed within the Naval Establishment by appropriate ceremonies in commemoration of the one hundred and fiftieth anniversary of the creation of the Department of the Navy and in honor of the gallant personnel who have rendered service in the Naval Establishment of the United States since the founding of such Department.

One hundred and fiftieth anniversary.

Approved April 26, 1948.

[CHAPTER 232]

April 27, 1948
[S. 1583]
[Public Law 499]

AN ACT

To provide for the conveyance to the State of Maryland, for the use of the University of Maryland, of the northern portion of a parcel of land previously constituting a part of the campus of the university and previously conveyed by the State of Maryland to the United States for the use of the Bureau of Mines.

University of Maryland.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of Maryland, for the use of the University of Maryland, a tract of land in Prince Georges County, Maryland, described as follows: Beginning at the stone monument that marks the corner formed by the intersection of boundary lines of the lands now or formerly owned by John and Rachel Keiley (liber S. D. H. 332, folio 113); Sam and —— Buckley (liber 47, folio 325); Charles E., Harry W., James E. and Mary E. McNamee; and the University of Maryland (Maryland Agricultural College, liber C. S. M. 2, folio 294); near College Park, Prince Georges County, Maryland, and running thence with the line formerly owned by McNamee on the one side and the Bureau of Mines on the other side, south forty degrees forty-seven minutes, four seconds west nine hundred and thirty-nine and forty-six one-hundredths feet to an iron pipe marking what was formerly the Engle-McNamee corner (being part of the north forty-four degrees east two hundred and sixty-two and twenty twenty-fifths perches line of Maryland Agricultural College, liber C. S. M. 2, folio 294); thence north eighty-nine degrees thirty minutes no seconds east until it intersects the east line of the Bureau of Mines property seven hundred and one and eighty-eight one-hundredths feet; thence north no degrees thirty minutes west six hundred and sixty-six and thirty-nine one-hundredths feet to an iron pipe marking the northeast corner of the Bureau of Mines property; thence north sixty-four degrees forty-five minutes twenty-four seconds west ninety-one and seven one-hundredths feet along the University of Maryland (formerly Keiley) line to the point of beginning and containing six and three thousand one hundred and forty-eight ten-thousandths acres.

Approved April 27, 1948.

[CHAPTER 235]

April 27, 1948
[S. 560]
[Public Law 500]

AN ACT

To prohibit the operation of gambling ships, and for other purposes.

Operation of gambling ships.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

"Gambling ship."

(a) The term "gambling ship" means a vessel used principally for the operation of one or more gambling establishments.

"Gambling establishment."

(b) The term "gambling establishment" means any common gaming or gambling establishment operated for the purpose of gaming or gambling, including accepting, recording, or registering bets, or carrying on a policy game or any other lottery, or playing any game of chance, for money or other thing of value.

"Vessel."

(c) The term "vessel" includes every kind of water and air craft or other contrivance used or capable of being used as a means of transportation on water, or on water and in the air, as well as any ship, boat, barge, or other water craft or any structure capable of floating on the water.

"American vessel."

(d) The term "American vessel" means any vessel documented or numbered under the laws of the United States; and includes any

vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if such vessel is owned by, chartered to, or otherwise controlled by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

"United States."

(e) The term "United States", when used in a geographical sense, includes the continental United States and the Territories and possessions of the United States, other than the Canal Zone.

Unlawful acts.

SEC. 2. (a) It shall be unlawful for any citizen or resident of the United States, or any other person who is on an American vessel or is otherwise under or within the jurisdiction of the United States, directly or indirectly—

(1) to set up, operate, or own or hold any interest in any gambling ship or any gambling establishment on any gambling ship; or

(2) in pursuance of the operation of any gambling establishment on any gambling ship, to conduct or deal any gambling game, or to conduct or operate any gambling device, or to induce, entice, solicit, or permit any person to bet or play at any such establishment,

if such gambling ship is on the high seas, or is an American vessel or otherwise under or within the jurisdiction of the United States, and is not within the jurisdiction of any State.

Violations.

(b) Whoever violates the provisions of subsection (a) shall, upon conviction, be imprisoned for not more than two years or fined not more than $10,000, or both.

Forfeiture of vessel.

(c) Whoever, being (1) the owner of an American vessel, or (2) the owner of any vessel under or within the jurisdiction of the United States, or (3) the owner of any vessel and being an American citizen, shall use, or knowingly permit the use of, such vessel in violation of any provision of this section shall, in addition to any other penalties provided by this Act, forfeit such vessel, together with her tackle, apparel, and furniture, to the United States.

Transportation of passengers.

SEC. 3. (a) It shall be unlawful to operate or use, or to permit the operation or use of, any vessel for the carriage or transportation, or for any part of the carriage or transportation, either directly or indirectly, of any passengers, for hire or otherwise, between any point or place within the United States and any gambling ship which is not within the jurisdiction of any State. The provisions of this section shall not apply to any carriage or transportation to or from any vessel in case of any emergency involving the safety or protection of life or property.

Rules and regulations.

(b) The Secretary of the Treasury is hereby authorized to prescribe such reasonable rules and regulations as may be necessary to enforce the provisions of this section and to prevent violations of such provisions.

Penalty.

For the operation or use of any vessel in violation of the provisions of this section or of any rule or regulation issued hereunder, the owner or charterer of such vessel shall be subject to a civil penalty of $200 for each passenger carried or transported in violation of such provisions, and the master or other person in charge of such vessel shall be subject to a civil penalty of $300. Such penalty shall constitute a lien on such vessel, and proceedings to enforce such lien may be brought summarily by way of libel in any court of the United States having jurisdiction thereof. The Secretary of the Treasury is hereby authorized to mitigate or remit any of the penalties provided by this section on such terms as he may deem proper.

Jurisdiction of courts.

SEC. 4. Nothing in this Act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof,

or to preclude action, otherwise valid, by any State or Territory with respect to the navigable waters within the boundaries of such State or Territory.

Approved April 27, 1948.

[CHAPTER 236]

April 27, 1948
[H. R. 4931]
[Public Law 501]

AN ACT

To amend title 17 of the United States Code entitled "Copyrights."

Title 17, U. S. Code, amendment.
61 Stat. 667.
17 U. S. C., Supp. I, § 211.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of title 17 of the United States Code, entitled "Copyrights", be amended to read as follows:

"SEC. 211. SAME; DISTRIBUTION AND SALE; DISPOSAL OF PROCEEDS.—The said printed current catalogs as they are issued shall be promptly distributed by the Superintendent of Documents to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised list of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them at a price to be determined by the Register of Copyrights for each part of the catalog not exceeding $25 for the complete yearly catalog of copyright entries. The consolidated catalogs and indexes shall also be supplied to all persons ordering them at such prices as may be fixed by the Register of Copyrights, and all subscriptions for the catalogs shall be received by the Superintendent of Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time."

61 Stat. 668.
17 U. S. C., Supp I, § 215.

SEC. 2. Section 215 of said title 17 is amended to read as follows:

"SEC. 215. FEES.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees:

"For the registration of a claim to copyright in any work, except a print or label used for articles of merchandise, $4; for the registration of a claim to copyright in a print or label used for articles of merchandise, $6; which fees shall include a certificate of registration under seal for each work registered: *Provided*, That only one registration fee shall be required in the case of several volumes of the same book published and deposited at the same time.

"For recording the renewal of copyright and issuance of certificate therefor, $2.

"For every additional certificate of registration, $1.

"For certifying a copy of an application for registration of copyright, and for all other certifications, $2.

"For recording every assignment, agreement, power of attorney, or other paper not exceeding six pages, $3; for each additional page or less, 50 cents; for each title over one in the paper recorded, 50 cents additional.

"For recording a notice of use, $2, for each notice of not more than five titles; and 50 cents for each additional title.

"For any requested search of Copyright Office records, or works deposited, or services rendered in connection therewith, $3 for each hour of time consumed."

Effective date.

SEC. 3. This Act shall take effect thirty days after its enactment.

Approved April 27, 1948.

[CHAPTER 237]

AN ACT

April 28, 1948
[S. 1021]
[Public Law 502]

Authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and clerk of the Fort Peck General Council, members of the Fort Peck Tribal Executive Board, and other committees appointed by said Fort Peck General Council, and official delegates of the Fort Peck Tribes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his duly authorized representative, is hereby authorized beginning as of July 1, 1947, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Fort Peck Indians in the Treasury of the United States the following salaries and expenses:

Fort Peck Indians.
Certain salaries and expenses.

To the chairman, secretary, and clerk of the Fort Peck General Council and members of the Fort Peck Tribal Executive Board or other committees appointed by the general council, when engaged on business of the tribes, a salary of not to exceed $8 per day and a per diem of not to exceed $3 in lieu of subsistence and all other expenses; to such official delegates of the Fort Peck Tribes who may carry on the business of the tribes at the seat of government a salary of not to exceed $8 per day and a per diem of $10 in lieu of subsistence and all other expenses: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by the general council of said tribes or by the Tribal Executive Board of the said tribes if authorized by said general council: *Provided further*, That the official delegates of the tribes carrying on said business at the seat of government shall also receive the usual railroad and sleeping-car, or airplane transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the total amount of the aforesaid salaries and expenses shall not exceed $10,000 per annum: *And provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs.

Official delegates.

Limitations.

Approved April 28, 1948.

[CHAPTER 238]

AN ACT

April 28, 1948
[S. 2278]
[Public Law 503]

To authorize the sale of certain public lands in San Juan County, Utah, to the Southwest Indian Mission, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Southwest Indian Mission, Incorporated, is hereby authorized for a period of one year from and after the effective date of this Act to file with the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue a patent to it, for use by Saint Christopher's Mission to the Navajo, for the following-described lands in San Juan County, Utah: The east half of the southeast quarter of the southeast quarter of section 20, the west half of the southwest quarter of the southwest quarter of section 21, lot 4 and the northwest quarter of the northwest quarter of section 28 and lots 1, 2, and 5 of section 29, township 40 south, range 22 east, Salt Lake meridian, containing one hundred and sixty-five and five-tenths acres.

Southwest Indian Mission, Inc.
Purchase of land.

Payment.

SEC. 2. The patent shall not be issued until after payment has been made by the Southwest Indian Mission, Incorporated, to the Secretary of the Interior for the land at its reasonable appraised price of not less than $1.25 per acre, to be determined by the Secretary in accordance with the provisions of the Act of December 22, 1928 (45 Stat. 1069). The patent shall reserve to the United States all of the oil, gas, and all other mineral deposits in the land, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

43 U. S. C. §§ 1068, 1068a.
Rights reserved to U. S.

Approved April 28, 1948.

[CHAPTER 239]

JOINT RESOLUTION

April 28, 1948
[S. J. Res. 94]
[Public Law 504]

To establish the Fort Sumter National Monument in the State of South Carolina.

Fort Sumter National Monument, S. C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to transfer, without consideration, to the Secretary of the Interior title to the site of the historic structure known as Fort Sumter, situated in Charleston Harbor, Charleston, South Carolina, together with such buildings and other improvements as are appurtenant to such site.

SEC. 2. The property acquired by the Secretary of the Interior under this joint resolution shall constitute the Fort Sumter National Monument and shall be a public national memorial commemorating historical events at or near Fort Sumter. The Director of the National Park Service under the direction of the Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act entitled "An Act to establish a National Park Service and for other purposes", approved August 25, 1916, as amended.

39 Stat. 535.
16 U. S. C. §§ 1-4, 22, 43.

Approved April 28, 1948.

[CHAPTER 241]

AN ACT

April 29, 1948
[S. 1696]
[Public Law 505]

To amend the Act of August 13, 1940 (54 Stat. 784), so as to extend the jurisdiction of the United States District Court, Territory of Hawaii, over Canton and Enderbury Islands.

U. S. District Court, Hawaii.
Extension of jurisdiction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to extend the jurisdiction of the United States District Court, Territory of Hawaii, over the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, and Jarvis Island, and for other purposes", approved August 13, 1940 (54 Stat. 784, 48 U. S. C., sec. 642a), is hereby amended to read: "The jurisdiction of the United States District Court, Territory of Hawaii, is hereby extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury

53 Stat. 2219.

Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement.

SEC. 2. The title of the said Act approved August 13, 1940, is amended to read: "An Act to extend the jurisdiction of the United States District Court, Territory of Hawaii, over the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island, and for other purposes."

54 Stat. 784.
48 U. S. C. § 642a.

Approved April 29, 1948.

[CHAPTER 242]

AN ACT

To authorize the Board of Commissioners of the District of Columbia to establish daylight saving time in the District.

April 29, 1948
[S. 1481]
[Public Law 506]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Commissioners of the District of Columbia is authorized to advance the standard time applicable to the District one hour for the period commencing not earlier than the last Sunday of April 1948 and ending not later than the last Sunday of September 1948. Any such time established by the Commissioners under authority of this Act shall, during the period for which it is applicable, be the standard time for the District of Columbia.

Daylight saving time, D. C.

Approved April 29, 1948.

[CHAPTER 243]

AN ACT

To amend and extend the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

April 29, 1948
[S. 2195]
[Public Law 507]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45–1601), is hereby amended by striking out "on April 30, 1948" and inserting in lieu thereof "at the close of March 31, 1949".

D. C. Emergency Rent Act, amendments.
55 Stat. 788.
D. C. Code, Supp. VI, § 45-1601 (b).
Ante, p. 100.

SEC. 2. Section 2 of such Act, as amended (D. C. Code, 1940 edition, sec. 45–1602), is amended by adding at the end thereof the following new subsection:

55 Stat. 788.
D. C. Code, Supp. VI, § 45-1602.

"(3) After April 30, 1948, the provisions of this Act shall not apply to the following housing accommodations, and no maximum rent ceilings or minimum service standards shall be prescribed with respect thereto:

Nonapplicability after Apr. 30, 1948.

"(a) Any housing accommodations in hotels, which accommodations are used exclusively for transient occupancy, that is, for living quarters for nonresidents upon a short-time basis;

"(b) Any housing accommodations the construction of which was completed after March 31, 1948, or which are additional housing accommodations created by conversion after March 31, 1948;

"(c) Nonhousekeeping, furnished housing accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if (A) no more than two paying tenants, not members of the landlord's immediate family, live in such dwelling unit, and (B) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family."

55 Stat. 793. D. C. Code, Supp. VI, § 45-1609 (a).

SEC. 3. (a) The first sentence of section 9 (a) of such Act, as amended (D. C. Code, 1940 edition, sec. 45–1609), is amended to read as follows: "Within ten days after issuance of an order of the Administrator under section 4, any party may file a petition to review such action in the municipal court of appeals for the District of Columbia, and shall forthwith serve a copy of such petition upon the Administrator."

55 Stat. 790. D. C. Code, Supp. VI, § 45-1604.

55 Stat. 793. D. C. Code, Supp. VI, § 45-1609 (c).

(b) Section 9 (c) of such Act, as amended (D. C. Code, 1940 edition, sec. 45–1609), is amended to read as follows:

Court review.

"(c) The municipal court of appeals for the District of Columbia is hereby granted exclusive jurisdiction to review any order of the Administrator made pursuant to section 4 of this Act. The judgment and decree of the court shall be final, subject to review as provided by law relative to other judgments of the court."

Certification of cases to court of appeals.

SEC. 4. All cases now pending before the statutory three-judge court of the municipal court which have not been presented to that court for decision at the time this Act takes effect shall forthwith be certified by said court to the municipal court of appeals for the District of Columbia. Nothing herein contained shall affect the validity of any judgment or decree of the statutory court (consisting of three judges of the municipal court as heretofore provided by law) rendered subsequent to the effective date of this Act in cases heretofore presented to that court and now awaiting decision.

Approved April 29, 1948.

[CHAPTER 244]

AN ACT

April 30, 1948 [S. 1468] [Public Law 508]

Providing for payment of $50 to each enrolled member of the Mescalero Apache Indian Tribe from funds standing to their credit in the Treasury of the United States.

Mescalero Apache Indian Tribe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the trust funds on deposit to the credit of the Mescalero Apache Tribe, and to make therefrom payment of $50 to each enrolled member of such tribe. The money paid to such members under this Act shall not be subject to any lien or claim of any nature against any of such members.

Approved April 30, 1948.

[CHAPTER 246]

AN ACT

May 3, 1948 [S. 2409] [Public Law 509]

To amend an Act entitled "An Act to provide revenue for the District of Columbia, and for other purposes", approved July 16, 1947.

D. C. Revenue Act of 1947, amendments. 61 Stat. 332. D. C. Code, Supp. VI, § 47-1551c (h).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph lettered (h) of section 4 of title I of article I of the Act entitled "An Act to provide revenue for the District of Columbia, and for other purposes", approved July 16, 1947, is amended by striking out the period at the end of the paragraph, inserting a colon, and the following: "*Provided, however*, That the words 'trade or business' shall not include, for the purposes of this article—

"Trade or business."

"(1) Sales of tangible personal property whereby title to such property passes within or without the District, by a corporation or unincorporated business which does not physically have or maintain an office, warehouse, or other place of business in the

District, and which has no officer, agent, or representative having an office or other place of business in the District, during the taxable year; or

"(2) Sales of tangible personal property by a corporation or unincorporated business which does not maintain an office or other place of business in the District and which has no office, agent, or representative in the District except for the sole purpose of doing business with the United States, but such corporations and unincorporated businesses shall be subject to the licensing provisions in title XIV of this article.

61 Stat. 357. D. C. Code, Supp. VI, §§ 47-1591 to 47-1591f.

"For purposes of this proviso, the words 'agent' or 'representative' shall not include any independent broker engaged independently in regularly soliciting orders in the District for sellers and who holds himself out as such."

"Agent" or "representative."

SEC. 2. Section 1 of title X of article I of said Act is amended by striking out the period at the end of the section, inserting a colon, and the following: "*Provided further*, That income derived from the sale of tangible personal property by a corporation or unincorporated business not carrying on or engaging in trade or business within the District as defined in title I of this article shall not be considered as income from sources within the District for purposes of this article, with the exception of income from sales to the United States not excluded from gross income as provided in title III, section 2 (b) (13) of this article."

61 Stat. 349. D. C. Code, Supp. VI, § 47-1580.

61 Stat. 332. D. C. Code, Supp. VI, § 47-1551c (h). *Ante*, p. 206.

Infra.

SEC. 3. Paragraph lettered (b) of section 2 of title III of article I of said Act is amended by adding thereto the following subparagraph:

61 Stat. 336. D. C. Code, Supp. VI, § 47-1557a (b).

"(13) Income derived from the sale of tangible personal property to the United States by corporations and unincorporated businesses having their principal places of business located outside the District, which property is delivered from places outside the District for use outside the District: *Provided, however*, That the taxpayer shall furnish to the Assessor a statement in writing of the amount of gross sales so made and, if required by the Assessor, a list of the names of the agencies of the United States through which such property was sold."

SEC. 4. Section 4 of title XIV of article I of said Act is repealed.

61 Stat. 358. D. C. Code, Supp. VI, § 47-1591c.

SEC. 5. The amendments made by this Act shall apply to the taxable year or part thereof beginning on the 1st day of January 1948, and to succeeding taxable years.

Approved May 3, 1948.

[CHAPTER 247]

AN ACT

May 3, 1948
[H. R. 5328]
[Public Law 510]

To amend paragraph 1803 (2) of the Tariff Act of 1930, relating to firewood and other woods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1803 (2) of the Tariff Act of 1930 is amended to read as follows:

Tariff Act of 1930, amendment. 46 Stat. 684. 19 U. S. C. § 1201, par. 1803 (2).

"(2) Logs; timber, round, unmanufactured; pulpwoods; firewood, including fuel made by compression from bark, sawdust, or other wood waste of the saw or planing mill; handle bolts, shingle bolts; gun blocks for gunstocks, rough hewn or sawed or planed on one side; and laths; all the foregoing not specially provided for."

(b) This Act shall be effective as to merchandise entered for consumption, or withdrawn from warehouse for consumption, on and after the thirtieth day after the enactment of this Act.

Effective date.

Approved May 3, 1948.

[CHAPTER 254]

AN ACT

May 4, 1948
[H. R. 1275]
[Public Law 511]

To authorize the payment of certain claims for medical treatment of persons in the naval service; to repeal section 1586 of the Revised Statutes; and for other purposes.

Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1586 of the Revised Statutes (U. S. C. Annotated, 1940 edition, title 34, sec. 921) is hereby repealed.

Reimbursement for certain medical treatment.

SEC. 2. The Secretary of the Navy is authorized and directed to promulgate regulations providing for the reimbursement of persons in the naval service for the cost of emergency or necessary medical services, including hospital service and medicines, from civilian sources when the person receiving the service is in a duty status: *Provided, however*, That reimbursement will be made under this Act only if it is determined that no medical service was available from a Federal source.

Duty status.

SEC. 3. For the purpose of this Act a person shall be regarded as in a duty status in the naval service while on authorized liberty or leave.

Approved May 4, 1948.

[CHAPTER 255]

AN ACT

May 4, 1948
[S. 1393]
[Public Law 512]

To provide additional subsistence allowances and to raise the ceilings on wages and allowances pertaining to certain veterans.

Veterans' subsistence allowances.
58 Stat. 289.
38 U. S. C., Supp. I, note foll. § 733.
Ante, p. 19.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

"6. While enrolled in and pursuing a course under this part, (including an institutional on-farm training course) such person, upon application to the Administrator, shall be paid a subsistence allowance of $65 per month, if without a dependent or dependents, or $90 per month, if he has a dependent or dependents, including regular holidays and leave not exceeding thirty days in a calendar year: Except, That (1) while so enrolled and pursuing a course of full-time institutional training, such person, shall be paid a subsistence allowance of $75 per month, if without a dependent or dependents, or $105 per month if he has one dependent or $120 per month if he has more than one dependent, and (2) while so enrolled and pursuing a course of part-time institutional training, including a course of institutional on-farm training, or other combination course, such person shall be paid, subject to the limitations of this paragraph, additional subsistence allowance in an amount bearing the same relation to the difference between the basic rates and the increased rates provided in (1) hereof as the institutional training part of such course bears to a course of full-time institutional training. Such person attending a course on a part-time basis, and such person receiving compensation for productive labor whether performed as part of his apprentice or other training on the job at institutions, business or other establishments, or otherwise, shall be entitled to receive such lesser sums, if any, as subsistence or dependency allowances as may be determined by the Administrator: *Provided*, That in no event shall the rate of such allowance plus the compensation received exceed $210 per month for a veteran without a dependent, or $270 per month for a veteran with one dependent, or $290 for a veteran with two or more dependents: *Provided further*, That only so much of the compensation as is derived from productive labor based on the standard workweek

for the particular trade or industry, exclusive of overtime, shall be considered in computing the rate of allowances payable under this paragraph."

SEC. 2. So much of paragraph 3 of part VII of Veterans Regulation Numbered 1 (a), as amended, as precedes the first proviso, is hereby amended to read as follows: *Ante*, p. 20.

"3. While pursuing training prescribed herein and for two months after his employability is determined, each veteran pursuing a course under this part, shall be paid a subsistence allowance of $65 per month, if without a dependent or dependents, or $90 per month, if he has a dependent or dependents: Except, That (1) each veteran pursuing a course of full-time institutional training under this part shall be paid a subsistence allowance of $75 per month, if without a dependent or dependents, or $105 per month, if he has one dependent, or $120 per month, if he has more than one dependent, and (2) each veteran enrolled in and pursuing a course of institutional on-farm training or other combination course, under this part shall be paid, subject to the limitations of this paragraph, additional subsistence allowance in an amount bearing the same relation to the difference between the basic rates and the increased rates provided in (1) hereof as the institutional training part of such course bears to a course of full-time institutional training."

SEC. 3. This Act shall take effect on the first day of April, 1948. Effective date.

Approved May 4, 1948.

[CHAPTER 256]

AN ACT

May 4, 1948
[H. R. 4490]
[Public Law 513]

To authorize the Secretary of the Navy to provide salvage facilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized: Navy Department. Salvage facilities.

(a) To provide, by contract or otherwise, necessary salvage facilities for both public and private vessels upon such terms and conditions as he may, in his discretion, determine to be in the best interests of the United States: *Provided*, That the proposed contracts for salvage facilities which affect the interests of the United States Maritime Commission shall be submitted to the Maritime Commission for recommendation and comment. Submission to U. S. Maritime Commission.

(b) To acquire or to transfer, by charter or otherwise, for operation by private salvage companies, such vessels and equipment as he may deem necessary.

(c) To advance to private salvage companies such funds as may, in his judgment, be necessary to provide for the immediate financing of salvage operations, these advances to be on such terms and under such conditions as he may deem adequate for the protection of the Government.

SEC. 2. (a) Term contracts for the provision of salvage facilities shall be made under section 1 (a) of this Act only (1) after the Secretary of the Navy shall have determined that existing commercial salvage facilities available are not adequate to meet the requirements for such services in the interest of the national defense, and (2) after public notice of the intention to enter into such contracts shall have been given in such manner and for such period of time as will, in the judgment of the Secretary, provide the maximum competition among commercial salvage organizations for such contracts. Term contracts.

(b) When any salvage vessel or salvage gear are sold, chartered, leased, loaned, or otherwise transferred by the Department of the Navy Agreement by private party.

to any private party, such party shall first execute an agreement with the Department of the Navy (1) under which such vessel or gear will be employed, for such period of years as the Secretary of the Navy shall deem appropriate, to support organized offshore salvage facilities, and (2) which shall contain such other provisions as the Secretary of the Navy shall deem appropriate to assure the fulfillment of such undertaking.

Settlement of claims.

SEC. 3. The Secretary of the Navy and his designees are hereby authorized to consider, ascertain, adjust, determine, compromise, or settle any claim for salvage services rendered by the Navy Department to any vessel, and moneys received as a result of the exercise of authority contained in this Act shall be credited to appropriations made for the Navy Department and the naval service for the purpose of maintaining salvage facilities by the Navy for the purposes prescribed by this Act: *Provided*, That if the total moneys received annually by the Navy pursuant to authority contained in this Act shall exceed the total annual costs incurred by the Navy in rendering and maintaining salvage service as authorized in this Act, the amount of such excess shall be covered into the Treasury as "miscellaneous receipts".

Appropriation authorized.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such funds, not in excess of $3,000,000 annually, as may be necessary to effectuate the purposes of this Act.

Repeal.

SEC. 5. (a) The Act entitled "An Act to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes", approved October 24, 1941 (55 Stat. 745), as amended by the Act of February 10, 1942 (56 Stat. 86), is hereby repealed.

46 U. S. C. § 732 and note.

(b) That portion of the Act of July 1, 1918, which is the last full paragraph appearing on page 705, volume 40, Statutes at Large, and which reads as follows: "That hereafter the Secretary of the Navy is authorized to cause vessels under his control adapted to the purpose, to afford salvage service to public or private vessels in distress: *Provided*, That when such salvage service is rendered by a vessel specially equipped for the purpose or by a tug, the Secretary of the Navy may determine and collect reasonable compensation therefor.", is hereby repealed.

34 U. S. C. § 472.
Repeal.

Approved May 4, 1948.

[CHAPTER 257]

May 4, 1948
[H. R. 5448]
[Public Law 514]

AN ACT

To amend sections 212 (b) and 231 (d) of the Internal Revenue Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 212 (b) of the Internal Revenue Code (relating to income of nonresident alien individuals) is hereby amended to read as follows:

53 Stat. 76.
26 U. S. C. § 212 (b).

"(b) EXCLUSIONS.—The following items shall not be included in gross income of a nonresident alien individual and shall be exempt from taxation under this chapter:

"(1) SHIPS UNDER FOREIGN FLAG.—Earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States;

"(2) AIRCRAFT OF FOREIGN REGISTRY.—Earnings derived from the operation of aircraft registered under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States."

(b) Section 231 (d) of the Internal Revenue Code (relating to income of foreign corporations) is hereby amended to read as follows:

"(d) EXCLUSIONS.—The following items shall not be included in gross income of a foreign corporation and shall be exempt from taxation under this chapter:

"(1) SHIPS UNDER FOREIGN FLAG.—Earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States;

"(2) AIRCRAFT OF FOREIGN REGISTRY.—Earnings derived from the operation of aircraft registered under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States."

53 Stat. 78.
26 U. S. C. § 231 (d).

SEC. 2. The amendments made by this Act shall be applicable with respect to taxable years beginning after December 31, 1945.

Approved May 4, 1948.

[CHAPTER 258]

JOINT RESOLUTION

To provide for the issuance of a special postage stamp in honor of the Five Civilized Tribes of Indians in Oklahoma.

May 4, 1948
[S. J. Res. 189]
[Public Law 515]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, to commemorate the centennial celebration of the Trail of Tears, the Postmaster General is hereby authorized and directed to issue a special postage stamp bearing the likeness of the great seals of the Five Civilized Tribes of Indians in Oklahoma: Choctaw, Chickasaw, Cherokee, Creek, and Seminole. Such stamp shall be issued in the denomination of 3 cents and for such a period, beginning October 15, 1948, as he may determine. Such special stamp shall be placed on sale in Muskogee, Oklahoma, one day before it is made available to the public elsewhere.

Five Civilized Tribes, Okla.
Special postage stamp.

Approved May 4, 1948.

[CHAPTER 266]

AN ACT

To authorize loans for Indians, and for other purposes.

May 7, 1948
[H. R. 2622]
[Public Law 516]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his designated representative, is hereby authorized, under such regulations as the Secretary may prescribe, to make loans from the revolving fund established pursuant to the Acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), to tribes, bands, groups, and individual Indians, not otherwise eligible for loans under the said Acts: *Provided*, That no portion of these funds shall be loaned to Indians of less than one-quarter Indian blood.

Indians.
Loans.

25 U. S. C. §§ 461-479, 501-509; Supp. I, § 502.
Post, pp. 991, 1118.

Approved May 7, 1948.

[CHAPTER 267]

AN ACT

To equalize retirement benefits among members of the Nurse Corps of the Army and the Navy, and for other purposes.

May 7, 1948
[H. R. 4090]
[Public Law 517]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each member

Army and Navy Nurse Corps.

Retirement benefits.
10 U. S. C. §§ 1029-1032.

10 U. S. C. § 164.

34 U. S. C. §§ 438-440a; Supp. I, §§ 438-440a.

of the Army Nurse Corps heretofore retired under the Act of May 13, 1926 (44 Stat. 531), who at the time of retirement held the relative rank of major, captain, first lieutenant, or second lieutenant in the Army under the Act of June 4, 1920 (41 Stat. 767), and each member of the Navy Nurse Corps heretofore retired under the Act of May 13, 1926 (44 Stat. 531), and placed on the Navy Nurse Corps Retired List in the grade of superintendent, assistant superintendent, chief nurse, or nurse, shall be considered, for the purposes of this Act, as having retired with the commissioned rank either of major, captain, first lieutenant, or second lieutenant in the Army, or lieutenant commander, lieutenant, lieutenant (junior grade), or ensign in the Navy, respectively.

Disability retirement.

10 U. S. C. § 937.

SEC. 2. (a) Each member of the Army Nurse Corps, or person entitled to the rights, privileges, and benefits of members of the Army Nurse Corps, retired for disability under the Act of June 20, 1930 (46 Stat. 790), as amended, who at the time of retirement held the relative rank of colonel, lieutenant colonel, major, captain, first lieutenant, or second lieutenant, shall, for the purposes of this Act, be considered as having retired with the commissioned rank of colonel, lieutenant colonel, major, captain, first lieutenant, or second lieutenant, respectively.

(b) Each member of the Navy Nurse Corps, or person entitled to the rights, privileges, and benefits of members of the Navy Nurse Corps, retired for disability prior to December 23, 1942, under the Act of June 20, 1930 (46 Stat. 790), as amended, and placed on the Navy Nurse Corps Retired List in the grade of superintendent, assistant superintendent, chief nurse, or nurse, shall, for the purposes of this Act, be considered as having retired with the commissioned rank of lieutenant commander, lieutenant, lieutenant (junior grade), or ensign, respectively.

34 U. S. C. § 436; Supp. I, § 436 note.

Computation of pay.

SEC. 3. The retired or retirement pay of each person referred to in sections 1 and 2 of this Act shall be computed in the same manner as is now or may hereafter be provided by law for the computation of retired pay of an officer of corresponding grade and length of service in the Regular Army or Regular Navy, as the case may be: *Provided*, That nothing contained in this Act shall be construed to deprive any person of any higher retired grade or rank, or any greater retired or retirement pay, to which entitled under any other provision of law.

SEC. 4. All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

Effective date.

SEC. 5. This Act shall become effective on the first day of the first calendar month following its enactment, and no back pay for any period prior thereto shall accrue by reason of its enactment.

Approved May 7, 1948.

[CHAPTER 269]

AN ACT

May 10, 1948
[S. 1132]
[Public Law 518]

To amend section 40 of the Shipping Act, 1916 (39 Stat. 728), as amended.

40 Stat. 902.
46 U. S. C. § 838.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 40 of the Shipping Act, 1916 (39 Stat. 728), as amended, is amended by inserting before the period at the end of the first paragraph a comma and the following: "or any other official thereof duly authorized by such corporation to execute any such declaration".

Approved May 10, 1948.

[CHAPTER 270]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.

May 10, 1948
[H. R. 6055]
[Public Law 519]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

First Deficiency Appropriation Act, 1948.
Ante, p. 59; *post*, p. 1027.

LEGISLATIVE BRANCH

SENATE

Office of the Sergeant at Arms and Doorkeeper: For an amount necessary ($3,150) to pay the basic salaries from May 1 to June 30, 1948, inclusive, of the following positions: Clerks—one at $2,500; one at $2,400; four at $1,980 each; one at $1,950: *Provided*, That one position of clerk in folding room at $1,740 per annum be abolished after April 30, 1948; in all, $3,150; and the Legislative Branch Appropriation Act for the fiscal year 1948 hereby is amended accordingly.

61 Stat. 362.

CONTINGENT EXPENSES OF THE SENATE

Joint Committee on Foreign Economic Cooperation: For salaries and expenses of the Joint Committee on Foreign Economic Cooperation, as authorized by Public Law 472, Eighteenth Congress, including per diem and subsistence expenses without regard to the Subsistence Expense Act of 1926, approved June 3, 1926, as amended, $20,000.

Ante, p. 157; *post*, pp. 1027, 1056.
44 Stat. 688.
5 U. S. C. § 821.

Furniture and repairs: For an additional amount for materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, $2,500.

Stationery: For an additional allowance for stationery of $200 for each Senator and the President of the Senate, for the second session of the Eighteenth Congress, $19,400, to remain available until December 31, 1948.

Post, pp. 425, 1027.

For stationery for committees and offices of the Senate, $2,500.

HOUSE OF REPRESENTATIVES

For payment to Adah H. Zimmerman, widow of Orville Zimmerman, late a Representative from the State of Missouri, $12,500.

OFFICE OF THE CLERK

For the employment of ten additional telephone operators at the basic salary of $1,800 per annum, each, $4,500.

CONTINGENT EXPENSES OF THE HOUSE

The appropriation contained in Public Law 46 (Eightieth Congress) for the purchase of surplus property is also hereby made available for the purchase of such articles, material, supplies, and equipment through the Bureau of Federal Supply.

61 Stat. 56.

Stationery (revolving fund): For stationery allowance due duly elected Members of the House of Representatives by special elections, first session, Eightieth Congress, six at $300 each, to remain available until expended; in all, $1,800.

For the procurement of a portrait of Honorable Joseph W. Martin, Junior, Speaker of the House of Representatives, $2,500, to be disbursed by the Clerk of the House under the direction of the Speaker.

For payment to Thomas J. O'Brien, contestee, for expenses incurred in the contested election case of Woodward versus O'Brien as audited and recommended by the Committee on House Administration, $1,500, to be disbursed by the Clerk of the House.

TEMPORARY CONGRESSIONAL AVIATION POLICY BOARD

Ante, p. 60.

For an additional amount for salaries and expenses for completion of the work of the Temporary Congressional Aviation Policy Board created by the Act to establish a National Aviation Council, and for other purposes (Public Law 287, Eightieth Congress), to be available until June 30, 1948, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman, $5,000: *Provided*, That expenditures hereunder shall be made in accordance with the laws applicable to inquiries and investigations ordered by the Senate.

61 Stat. 676.
49 U. S. C., Supp. I, § 421 note.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Ante, p. 60.

Capitol Power Plant: For an additional amount for "Capitol Power Plant", $20,900.

LIBRARY OF CONGRESS

LEGISLATIVE REFERENCE SERVICE

Salaries: For an additional amount for "Salaries", $5,000, to be derived by transfer from "Miscellaneous and contingent expenses, Library of Congress, 1948"; and the limitation under this head in the Legislative Branch Appropriation Act, 1948, for preparation and reproduction of copies of the Digest of General Public Bills, is increased from "$25,000" to "$30,000".

61 Stat. 372.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

Working capital and congressional printing and binding: For an additional amount for working capital and congressional printing and binding, $2,212,000; and the limitation under this head in the Legislative Branch Appropriation Act, 1948, on the amount available for printing and binding the supplements to the Code of Federal Regulations is increased from "$100,000" to "$125,000".

61 Stat. 375.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Post, p. 1029.

General expenses: Surplus funds accumulated during the fiscal year 1948 through the operation of the working capital of the Government Printing Office (Public Printing and Binding, Government Printing Office, 1948) are hereby made available in the amount of $650,000 for transfer to the appropriation "General expenses, Office of the Superintendent of Documents, 1948", including the objects and subject to the conditions set forth under this head in the Legislative Branch Appropriation Act, 1948.

61 Stat. 376.

THE JUDICIARY

COURT OF CLAIMS

Salaries and expenses: The appropriation under this head in the Judiciary Appropriation Act, 1948, is hereby made available in an additional amount not to exceed $20,000, as may be necessary and approved by the chief justice, Court of Claims, for transfer to the appropriation "Repairs and improvements" for expenditure by the Architect of the Capitol for structural changes, alterations, and installations of fixtures in the Court of Claims buildings, necessary for the accommodations of the court.

61 Stat. 303.
Ante, p. 61.

INDEPENDENT OFFICES

ATOMIC ENERGY COMMISSION

Salaries and expenses: The authorization under this head in the Independent Offices Appropriation Act, 1948, to enter into contracts for the purposes of the appropriation therein made, is hereby increased from "$250,000,000" to "$400,000,000".

61 Stat. 589.

FEDERAL POWER COMMISSION

Flood-control surveys: For an additional amount for "Flood-control surveys", $18,000, and the limitation under this head in the Independent Offices Appropriation Act, 1948, on the amount which may be expended for personal services in the District of Columbia, is increased from "$114,900" to "$120,000".

61 Stat. 591.

FEDERAL SECURITY AGENCY

HOWARD UNIVERSITY

Construction of buildings: In addition to the appropriation of $1,377,920 contained in the Federal Security Agency Appropriation Act, 1947, for the construction of an engineering building and women's dormitory units on the grounds of Howard University, the Public Buildings Administration is authorized to enter into contracts for the purposes of said appropriation in an amount not to exceed $1,706,000: *Provided*, That no contract shall be entered into for such purposes which will result in a total cost to the Federal Government for completion of such buildings in excess of $1,788,000 for the engineering building and $1,378,000 for the women's dormitory units: *Provided further*, That the limitations on contract authority and total cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from January 1, 1948, as determined by the Federal Works Administrator: *Provided further*, That transfers of funds may be made to the Public Buildings Administration, Federal Works Agency, of amounts appropriated for construction of these buildings.

60 Stat. 688.

Restrictions.

Transfer of funds.

PUBLIC HEALTH SERVICE

Public-health services, Philippine Islands: The maximum price limitations on the purchase of passenger motor vehicles established by or pursuant to section 202 of the Act of May 3, 1945 (59 Stat. 106, 131), or section 5 (c) (1) of the Act of July 16, 1914, as amended (5 U. S. C. 78), shall not be construed to be applicable to passenger

60 Stat. 810.

motor vehicles purchased in the Philippine Islands, during the calendar year 1946, by the Public Health Service for public-health work in such islands.

OFFICE OF VOCATIONAL REHABILITATION

Such sums as may be necessary (not exceeding $4,500,000) are hereby appropriated for making for the first quarter of the fiscal year 1949 payments to States in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C., ch. 4): *Provided*, That the obligations incurred and expenditures made for such purpose under the authority of this paragraph shall be charged to the appropriation therefor in the Labor-Federal Security Appropriation Act, 1949: *Provided further*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the fiscal year 1948 in accordance with such Vocational Rehabilitation Act.

57 Stat. 374.
29 U. S. C. §§ 31-41.

Post, p. 399.

SOCIAL SECURITY ADMINISTRATION

Grants to States for unemployment compensation administration: For an additional amount for "Grants to States for unemployment compensation administration", $1,555,532.

Reconversion unemployment benefits for seamen: For an additional amount for "Reconversion unemployment benefits for seamen", $970,000.

OFFICE OF THE ADMINISTRATOR

Penalty mail: Not to exceed $365,000 may be transferred from the Federal old-age and survivors insurance trust fund to the appropriation "Penalty mail costs, Federal Security Agency, 1948".

61 Stat. 275.

FEDERAL WORKS AGENCY

PUBLIC BUILDINGS ADMINISTRATION

Plans for elimination of structural and fire hazards, Executive Mansion: For preparation of plans for the elimination of structural and fire hazards in the Executive Mansion, including a survey of the structural condition of the building; the preparation of drawings and specifications for replacement of the existing wooden second-floor structure by a fire-resistant type of construction and for the installation of equipment, devices, and means for modernization of the building; and the making of a report to the Congress of the scope and estimated cost of work required to execute such plans; $50,000, to remain available until expended.

Report to Congress.

BUREAU OF COMMUNITY FACILITIES

Maintenance and operation of schools: For an additional amount for "Maintenance and operation of schools", $2,000,000; and the limitation under this head in the Second Supplemental Appropriation Act, 1948, on the amount available for administrative expenses, is increased from "$50,000" to "$70,000".

61 Stat. 697.

HOUSING EXPEDITER

Salaries and expenses, Office of the Housing Expediter (Housing and Rent Act of 1948): For expenses necessary to carry out the provisions of the Housing and Rent Act of 1948 (Public Law 464, approved March 30, 1948), $2,000,000; and the unexpended balances of the appropriations "Salaries and expenses, Office of the Housing Expediter", in the Government Corporations Appropriation Act, 1948,

Ante, p. 93.

61 Stat. 574.

and "Salaries and expenses, Office of Rent Control", in the Supplemental Appropriation Act, 1948, are hereby consolidated with and made a part of this appropriation, the total thereof to be disbursed and accounted for as one fund which shall be available for all of the objects and purposes of said appropriations (except as such purposes may be limited by the Housing and Rent Act of 1948 or other law), and for a health-service program as authorized by law (5 U. S. C. 150): *Provided*, That the provision of the appropriation "Salaries and expenses, Office of the Housing Expediter", in the Government Corporations Appropriation Act, 1948, making $1,908,000 available exclusively for terminal leave, is hereby repealed: *Provided further*, That the limitation under the head "Salaries and expenses, Office of Rent Control", in the Supplemental Appropriation Act, 1948, on the amount available for deposit in the Treasury for penalty mail is increased from "$175,000" to "$245,000".

61 Stat. 616.

Ante, p. 93.

60 Stat. 903. Repeal.

61 Stat. 574.

61 Stat. 616.

NATIONAL MEDIATION BOARD

Arbitration and emergency boards: For an additional amount for "Arbitration and emergency boards", $48,800.

NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: The limitation under this head in the National Mediation Board Appropriation Act, 1948, on the amount available for compensation and expenses of referees, is increased from "$65,000" to "$75,000".

61 Stat. 277.

THE TAX COURT OF THE UNITED STATES

Salaries and expenses: The limitation imposed by section 105 of the Independent Offices Appropriation Act, 1948, on the amount available for travel expenses under this head, is increased from "$20,000" to "$24,000".

61 Stat. 607.

UNITED STATES MARITIME COMMISSION

Amounts available to the Commission for personal services shall be available for additional temporary personal services in an amount not to exceed $259,000 from May 1, 1948, to June 30, 1948.

Maritime training: The limitation under this head in the Independent Offices Appropriation Act, 1948, on administrative expenses, is increased from "$250,000" to "$300,000", and the limitation under said head on transfers to appropriations of the Public Health Service is increased from "$64,000" to "$82,900".

61 Stat. 604.

War Shipping Administration functions: The sum of $4,650,000 of the operating receipts made available by the Second Supplemental Appropriation Act, 1948, and continued available by the Urgent Deficiency Appropriation Act, 1948, for salaries and general administrative expenses, shall be available until June 30, 1948, for carrying out the functions extended by the Act of February 27, 1948 (Public Law 423): *Provided*, That the limitation under the head "United States Maritime Commission" in the Urgent Deficiency Appropriation Act, 1948, on the use of operating receipts for "Cost of placing vessels into reserve fleet" is increased from "$6,103,000" to "$6,903,000".

61 Stat. 697.

Ante, p. 62.

Ante, p. 38.

Ante, p. 62.

War Shipping Administration liquidation: The appropriation to the Secretary of the Treasury in the Second Supplemental Appropriation Act, 1948, for liquidation of obligations found by the General Accounting Office to have been properly incurred against funds of the War Shipping Administration prior to January 1, 1947, is hereby continued available until June 30, 1948: *Provided*, That hereafter all moneys accruing to the United States Maritime Commission from

61 Stat. 698.

operations under the War Shipping Administration revolving fund prior to September 1, 1946 (including all moneys received from agent operators), shall be covered into the Treasury as miscellaneous receipts.

Vessel operating functions: The operating receipts made available to the United States Maritime Commission by the Act of July 23, 1946 (Public Law 521, Seventy-ninth Congress), are continued available for obligation until July 1, 1948, for the purpose of carrying out the operating functions transferred to the Maritime Commission by section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), as extended by the Act of February 26, 1947 (Public Law 6, Eightieth Congress), the Act of June 28, 1947 (Public Law 127, Eightieth Congress), and the Act of February 27, 1948 (Public Law 423, Eightieth Congress): *Provided*, That obligations incurred in carrying out such functions during the period April 1, 1948, through June 30, 1948, shall not exceed $17,600,000: *Provided further*, That the unobligated balance of such fund on June 30, 1948, shall be covered into the Treasury as miscellaneous receipts.

60 Stat. 614.

50 U. S. C. app. § 1291 note.

61 Stat. 6, 190.
50 U. S. C., Supp. I, app. §§ 1735 note, 1744, 1738.
Ante, p. 38.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount for administration including necessary contact representatives, medical, hospital, and domiciliary services, $3,000,000.

DISTRICT OF COLUMBIA

Capital outlay: Transfers may be made between limits of costs available in the fiscal year 1948 on projects chargeable against the general fund but the cost limitation for any one project shall not be increased by more than 10 per centum by such transfers.

REGULATORY AGENCIES

Office of Administrator of Rent Control: For an additional amount for "Office of Administrator of Rent Control", $10,210.

PUBLIC WORKS

Operating expenses, Refuse Division: For an additional amount for "Operating expenses, Refuse Division", $60,000.

NATIONAL GUARD

National Guard: For an additional amount for "National Guard", $17,500.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1948.

61 Stat. 425.

DEPARTMENT OF AGRICULTURE

RURAL ELECTRIFICATION ADMINISTRATION

Loans: The authorization under this head in the Department of Agriculture Appropriation Act, 1948, for borrowings from the Secretary of the Treasury under section 3 (a) of the Rural Electrification Act of 1936, as amended, is increased from "$225,000,000" to "$400,000,000".

61 Stat. 546.

49 Stat. 1364.
7 U. S. C., Supp. I, § 903 (a).

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Printing and binding: For an additional amount for "Printing and binding", $20,000.

Voluntary agreements and export controls: For expenses necessary for carrying out the provisions of sections 2 and 3 of the Act of December 30, 1947 (Public Law 395), relating to voluntary agreements and export controls, during the remainder of the fiscal year 1948, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates not to exceed $35 per diem for individuals (unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget); $225,000: *Provided*, That the authorization granted the Secretary of Commerce in the Third Supplemental Appropriation Act, 1948, with respect to utilization of funds for export controls and for allocation and inventory controls or voluntary agreements relating thereto, is extended from March 31 to June 30, 1948: *Provided further*, That of the total amount made available herein not to exceed $262,500 may be transferred to the Bureau of Customs, Treasury Department, for enforcement of the export-control program, and not to exceed $15,000 may be transferred to the appropriation under the head "Printing and binding" in the Department of Commerce Appropriation Act, 1948.

61 Stat. 945.
50 U. S. C., Supp. I, app. §§ 1912, 1913.
60 Stat. 810.
61 Stat. 943.
61 Stat. 294.

Materials distribution and liquidation of Office of Temporary Controls: For an additional amount for "Materials distribution and liquidation of Office of Temporary Controls", $46,000; and the amount made available under this head in the Supplemental Appropriation Act, 1948, for transfer to the appropriation "Salaries and expenses, Bureau of Foreign and Domestic Commerce", is increased from "$500,000" to "$546,000".

61 Stat. 618.

The foregoing amounts for the Office of the Secretary shall be available for obligation from and including April 1, 1948.

Notwithstanding the provisions of the Department of Commerce Appropriation Act, 1948, for the furnishing of emergency medical services to employees in Alaska and other areas outside the United States on a reimbursable basis, the appropriations for "Salaries and expenses" of the Civil Aeronautics Administration, "Salaries and expenses" of the Civil Aeronautics Board, and "Salaries and expenses" of the Weather Bureau, shall be available in an amount not to exceed $10,000 during the fiscal year 1948 for furnishing such services without charge when authorized or approved by the Secretary of Commerce.

61 Stat. 301.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

OIL AND GAS DIVISION

Oil and Gas Division: For an additional amount for "Oil and Gas Division", $25,000.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Penalty mail costs: For an additional amount for "Penalty mail costs", $35,000.

BONNEVILLE POWER ADMINISTRATION

Construction, operation, and maintenance, Bonneville power transmission system: For an additional amount for "Construction, operation, and maintenance, Bonneville power transmission system", $665,000, to remain available until expended, and to be subject to such limitations and restrictions, except as to operation and maintenance and personal services in the District of Columbia, as may be applicable to appropriations for this purpose in the Interior Department Appropriation Act, 1948, or other law and the limitation under this head in the Interior Department Appropriation Act, 1948, on the amount available for operation and maintenance of the Bonneville transmission system, is increased from "$2,500,000" to "$2,640,000", and the limitation under said head on the amount available for personal services in the District of Columbia is increased from "$24,000" to "$24,500": *Provided*, That in addition to the contract authorizations contained in the Interior Department Appropriation Act, 1948, and the Supplemental Appropriation Act, 1948, the Administrator is authorized to contract in the fiscal year 1948 for materials, equipment, and services for power transmission facilities in an amount not in excess of $1,475,000.

61 Stat. 462.

61 Stat. 462.
61 Stat. 620.

BUREAU OF LAND MANAGEMENT

The limitations under the head "Salaries and expenses" in the Interior Department Appropriation Act, 1948, and under the head "Management, protection, and disposal of public lands" in the Interior Department Appropriation Act, 1948, as increased by the Second Supplemental Appropriation Act, 1948, on the amounts available for carrying out the provisions of the Act of June 28, 1934 (43 U. S. C. 8A), as amended, shall be exclusive of those classes of expenses which were incurred prior to the adoption of Reorganization Plan Numbered 3 of 1946, by the General Land Office in carrying out certain provisions of said Act.

61 Stat. 463.

61 Stat. 463.
61 Stat. 699.

48 Stat. 1269.
43 U. S. C. §§ 315-315q; Supp. I, §§ 315b-315q.
Post, pp. 533, 277.
60 Stat. 1100.
5 U. S. C. § 133y-16 note.

Management, protection, and disposal of public lands: The limitation under this head in the Interior Department Appropriation Act, 1948, on the amount available for the administration of district land offices, is increased from "$310,000" to "$325,000".

61 Stat. 463.

Fire fighting: For an additional amount for "Fire fighting", $95,000.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For an additional amount, fiscal year 1947, for "Payment to Oklahoma from royalties, oil and gas, south half of Red River", $379.24.

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, Reservation Administration: For an additional amount for "Salaries and expenses, Reservation Administration", including the objects specified under this head in the Interior Department Appropriation Act, 1948, $1,000.

61 Stat. 465.

Emergency work program, Navajo and Hopi Indians: For expenses necessary for administering and carrying out a work program for the Navajo and Hopi Indians, in accordance with the Act of December 19, 1947 (Public Law 390), including personal services in the District of Columbia; printing and binding; $1,000,000, to remain available until June 30, 1949, of which amount not to exceed $100,000 shall be available for loans to the Navajo and Hopi Tribes, members or association of members thereof for the purchase of milk animals.

61 Stat. 940.

Suppressing forest and range fires: For an additional amount for "Suppressing forest and range fires", $25,000.

Construction, and so forth, irrigation systems: For an additional amount for the construction, rehabilitation, and improvement of irrigation systems on Indian reservations, including the same objects and limitations under this head in the Interior Department Appropriation Act, 1948, to remain available until completion of the project, as follows: 61 Stat. 467.

Montana: Flathead, $125,000.

Construction, and so forth, buildings and utilities: For an additional amount for "Construction, and so forth, buildings and utilities", for the item "Alaska", $716,000.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Suppressing forest and range fires (tribal funds): For an additional amount for "Suppressing forest and range fires (tribal funds)", $25,000.

BUREAU OF RECLAMATION

CONSTRUCTION

Construction: For an additional amount for "Construction", out of the reclamation fund created by the Act of June 17, 1902, as amended (43 U. S. C. 391), for construction and continuation of construction of the following projects in not to exceed the following amounts, to remain available until expended, and to be subject to such limitations and restrictions as may be applicable to appropriations for such purposes in the Interior Department Appropriation Act, 1948, or other law, all to be reimbursable (except as otherwise provided by law) under the reclamation laws: 32 Stat. 388. 61 Stat. 473.

Boise project, Idaho, Anderson Ranch dam, $700,000;

Boise project, Idaho, Payette division, $800,000;

Rathdrum Prairie project, Idaho, $109,500 to be available for emergency rehabilitation of the works of the Hayden Lake unit.

GENERAL FUND, CONSTRUCTION

General fund, construction: For additional amounts for continuation of construction of the following projects, to remain available until expended, and to be subject to such limitations and restrictions as may be applicable to appropriations for such purposes in the Interior Department Appropriation Act, 1948, or other law, as follows: 61 Stat. 475.

Colorado-Big Thompson project, Colorado, $3,000,000;

Central Valley project, California, irrigation facilities, $1,000,000.

OPERATION AND MAINTENANCE

Parker Dam power project, Arizona-California: For an additional amount for "Parker Dam power project, Arizona-California", from power and other revenues, $726,000.

North Platte project, Nebraska-Wyoming: For an additional amount for "North Platte project, Nebraska-Wyoming" from power revenues, $56,800, of which $25,000 is for payment of a claim under part 2 of the Federal Tort Claims Act of August 2, 1946 (28 U. S. C. 921). 60 Stat. 843. *Post*, p. 1008.

COLORADO RIVER DAM FUND

Boulder Canyon project: For an additional amount for "Boulder Canyon project", payable from the Colorado River dam fund, $49,000.

Boulder Canyon project: For payment to the Boulder City School District in accordance with the provisions of S. 1985, $39,000, payable from the Colorado River dam fund. *Post*, pp. 235, 1130.

GEOLOGICAL SURVEY

Gaging streams: For an additional amount for "Gaging streams", $485,000, for cooperation with States or municipalities.

BUREAU OF MINES

Synthetic liquid fuels: For an additional amount for "Synthetic liquid fuels", $4,000,000, to remain available until expended, for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1946.

59 Stat. 346.

NATIONAL PARK SERVICE

Emergency reconstruction and fighting forest fires: For an additional amount for "Emergency reconstruction and fighting forest fires", $500,000, of which $400,000 shall be available until June 30, 1949, in the Acadia National Park, Maine, for fighting forest fires, reforestation, forest clean-up, and repair and reconstruction of buildings and facilities damaged or destroyed by fire: *Provided*, That the provisions of section 1 of the Act of August 24, 1912, as amended (16 U. S. C. 451), shall not apply to reconstruction of buildings in said park under this appropriation.

37 Stat. 460.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

Alaska fisheries: For an additional amount for "Alaska fisheries", $50,000.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

Insane of Alaska: For an additional amount for "Insane of Alaska", $112,200.

Construction and maintenance of roads, bridges, and trails, Alaska: For an additional amount for the construction, repair, and maintenance of roads, tramways, buildings, ferries, bridges, and trails, Territory of Alaska, $7,370,000, to remain available until expended; and in addition, the Secretary or, at his request, the Commissioner of Public Roads, Federal Works Agency, is authorized to incur obligations and enter into contracts for additional work, materials, and equipment for the purposes of this appropriation in an amount not to exceed $4,000,000.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Printing and binding: For an additional amount for "Printing and binding", $150,000.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", $150.50.

Post, p. 1041.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1945, for "Miscellaneous salaries and expenses, field", $864.76.

Post, p. 1041.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1947, for "Salaries and expenses of marshals, and so forth", $155,000.

Fees of witnesses: The limitation under this head in the Department

of Justice Appropriation Act, 1948, on the amount available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General or his administrative assistant is increased from "$25,000" to "$50,000". 61 Stat. 290. *Post*, p. 1041.

DEPARTMENT OF LABOR

BUREAU OF LABOR STATISTICS

Salaries and expenses: The limitation under this head in the Second Supplemental Appropriation Act, 1948, on the amount which may be expended for personal services in the District of Columbia, is increased from "$2,327,700" to "$2,530,000". 61 Stat. 700.

UNITED STATES EMPLOYMENT SERVICE

General administration: For an additional amount for "general administration", $40,800.

Grants to States for public employment offices: For an additional amount for "Grants to States for public employment offices", $1,234,815.

NATIONAL MILITARY ESTABLISHMENT

DEPARTMENT OF THE ARMY—MILITARY FUNCTIONS

OFFICE OF THE SECRETARY OF THE ARMY

Penalty Mail, Military Functions

Penalty mail: For deposit in the Treasury for penalty mail of the Department of the Army, military functions (39 U. S. C. 321d), $4,500,000. 58 Stat. 394. *Post*, p. 1049.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Engineer Service: For an additional amount for "Engineer Service", including construction of buildings and facilities, $1,500,000. *Post*, pp. 259, 1041.

UNITED STATES MILITARY ACADEMY

Pay of Military Academy

Cadets: For an additional amount for "Cadets", $83,488.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

CORPS OF ENGINEERS

Rivers and Harbors

Maintenance and improvement of existing river and harbor works: For an additional amount for "Maintenance and improvement of existing river and harbor works", $1,865,000.

Flood Control

Flood control, general: For an additional amount for "Flood control, general", $1,000,000.

PENALTY MAIL, CIVIL FUNCTIONS

Penalty mail: For deposit in the Treasury for penalty mail of the Department of the Army, civil functions (39 U. S. C. 321d), $133,000.

58 Stat. 394.
Post, p. 1049.

GOVERNMENT AND RELIEF IN OCCUPIED AREAS

Government and relief in occupied areas: For an additional amount for "Government and relief in occupied areas", $143,000,000, to be derived by transfer from the appropriation "Pay of the Army, 1948".

61 Stat. 552.

DEPARTMENT OF THE NAVY—NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Penalty Mail

Penalty mail: For deposit in the Treasury for penalty mail of the Navy Department and the Naval Establishment (39 U. S. C. 321d), $2,957,000.

58 Stat. 394.
Post, p. 1049.

BUREAU OF NAVAL PERSONNEL

Training, Education, and Welfare, Navy

Naval training station, San Diego, California: For an additional amount for the naval training station at San Diego, California, $120,000, to be derived by transfer from the appropriation "Officer candidate training, 1948".

61 Stat. 384.

Naval training station, Great Lakes, Illinois: For an additional amount for the naval training station at Great Lakes, Illinois, $165,000, to be derived by transfer from the appropriation "Officer candidate training, 1948".

61 Stat. 384.

Naval Academy

Naval Academy: For an additional amount for Naval Academy, $114,000, to be derived by transfer from the appropriation "Officer candidate training, 1948".

61 Stat. 384.

Naval Home, Philadelphia, Pennsylvania

Naval Home, Philadelphia, Pennsylvania: For an additional amount for Naval Home, Philadelphia, Pennsylvania, $6,450, to be derived by transfer from the appropriation "Officer candidate training, 1948".

61 Stat. 384.

BUREAU OF SHIPS

Maintenance, Bureau of Ships

Of the unexpended balance of the appropriation "Maintenance, Bureau of Ships, 1948", not to exceed $20,000,000 may be used to liquidate contract obligations of the appropriation "Maintenance, Bureau of Ships, 1946".

61 Stat. 385.

59 Stat. 205.

BUREAU OF YARDS AND DOCKS

Public Works, Bureau of Yards and Docks

Public works, Bureau of Yards and Docks: The Secretary of the Navy is authorized to enter into contracts and to liquidate such contracts from the currently available balance of funds heretofore appropriated for naval public works, as follows:

Naval base, Guam: Acquisition of land as authorized by the Act of August 2, 1946 (60 Stat. 803), $1,600,000;

Postgraduate school, Monterey, California: Postgraduate school facilities, including the necessary construction and alterations to provide school facilities, quarters, and collateral facilities and equipment, and the acquisition of the necessary land, all as authorized by the Act of July 31, 1947 (Public Law 302), $2,500,000.

61 Stat. 705. 34 U. S. C., Supp. I, § 1076 note.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

POST OFFICE DEPARTMENT, DISTRICT OF COLUMBIA

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Contingent and miscellaneous expenses: For an additional amount for "Contingent and miscellaneous expenses", $12,800.

Printing and binding: For an additional amount for "Printing and binding", $270,000.

Post, p. 1045.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For an additional amount, fiscal year 1947, for "Compensation to postmasters", $1,000,000, to be derived by transfer from the appropriations "Clerks, first- and second-class post offices, 1947", $300,000, and "City Delivery Carriers, 1947", $700,000.

60 Stat. 582.

Clerks, first- and second-class post offices: For an additional amount for "Clerks, first- and second-class post offices", $32,000,000.

Carfare and bicycle allowance: For an additional amount for "Carfare and bicycle allowance", $175,000.

City delivery carriers: For an additional amount for "City delivery carriers", $16,000,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star-route service: For an additional amount for "Star-route service", $665,000.

Star-route and air-mail service, Alaska: For an additional amount for "Star-route and air-mail service, Alaska", $422,800.

Star-route and air-mail service, Alaska: For an additional amount, fiscal year 1947, for "Star-route and air-mail service, Alaska", $224,500, to be derived by transfer from the appropriation "Railway Mail Service, 1947".

60 Stat. 582.

Star-route and air-mail service, Alaska: For an additional amount, fiscal year 1946, for "Star-route and air-mail service, Alaska", $42,000, to be derived by transfer from the appropriation "Powerboat Service, 1946".

59 Stat. 71.

Powerboat service: For an additional amount for "Powerboat service", $95,000.

Railroad transportation and mail messenger service: For an additional amount for "Railroad transportation and mail messenger service", $59,700,000.

Railroad transportation and mail messenger service: For an additional amount, fiscal year 1947, for "Railroad transportation and mail messenger service", $14,300,000.

Railway mail service: For an additional amount for "Railway mail service", $2,200,000.

Railway postal clerks, travel allowance: For an additional amount for "Railway postal clerks, travel allowance", $75,000.

Post, p. 1045.

Foreign mail transportation: For an additional amount for "Foreign mail transportation", $8,000,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Unpaid money orders more than one year old: For an additional amount for "Unpaid money orders more than one year old", $300,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post, p. 1046.

Post Office stationery, equipment, and supplies: For an additional amount for "Post Office stationery, equipment, and supplies", $815,000.

Equipment shops, Washington, District of Columbia: For an additional amount for "Equipment shops, Washington, District of Columbia", $425,000.

Post, p. 1046.

Vehicle service: For an additional amount for "Vehicle service", $3,277,000.

Transportation of equipment and supplies: For an additional amount for "Transportation of equipment and supplies", $89,000.

Public Buildings, Maintenance and Operation

Post, p. 1046.

Operating supplies, public buildings: For an additional amount for "Operating supplies, public buildings", $465,000, of which $100,000 is to be derived by transfer from the appropriation "Operating force, public buildings, 1948".

61 Stat. 232.

DEPARTMENT OF STATE

DEPARTMENT SERVICE

61 Stat. 279.

Salaries and expenses, Department of State: The limitation under this head in the Department of State Appropriation Act, 1948, on dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls, is increased from "$65,000" to "$80,000".

INTERNATIONAL OBLIGATIONS AND ACTIVITIES

International activities: For an additional amount for international activities, $400,000.

Post, p. 312.

International information and educational activities: For expenses necessary to enable the Department of State to carry out international information and educational activities as authorized by the United States Information and Educational Exchange Act of 1948 (Public Law 402, approved January 27, 1948), including personal services in the District of Columbia; employment, without regard to the civil-service and classification laws, of persons on a temporary basis (not to exceed $30,000) and aliens within the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946 (22 U. S. C. 801–1158), except title VII and title VIII; printing and binding; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration and script-

Ante, p. 6.

60 Stat. 999.

60 Stat. 1018, 1019.
22 U. S. C. §§ 1041–1047, 1061–1116.

60 Stat. 810.

writing, by contract or otherwise, acquisition of printed materials, purchase of objects for presentation to foreign governments, schools, or organizations, and information and educational activities outside the continental United States, all without regard to section 3709 of the Revised Statutes; $3,000,000, of which not to exceed $65,000 may be transferred to other appropriations of the Department of State: *Provided*, That, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of the international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That in the acquisition of leasehold interests payments may be made in advance for the entire term or any part thereof: *Provided further*, That appropriations now available for any of the purposes of this appropriation shall continue to be available for such purposes: *Provided further*, That $1,600,000 of this appropriation shall be available, without regard to section 3709 of the Revised Statutes, exclusively for the purchase, construction, and improvement of buildings and facilities, purchase and installation of necessary equipment for radio transmission and reception, and the acquisition of land and interest in land outside the continental United States by purchase, lease, rental, or otherwise, without regard to section 355 of the Revised Statutes, but title to any land so acquired shall be approved by the Secretary of State: *Provided further*, That not to exceed $100,000 of this appropriation shall be available until June 30, 1949, for the expenses of moving certain offices and equipment of the international information program and the offices and equipment of related activities, including the expenses of restoring the vacated building space to such condition as may be required under existing leases, and installing necessary broadcasting facilities in and altering and repairing the space to be occupied without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a): *Provided further*, That $60,000 of this appropriation shall be available exclusively for activities authorized by titles II, III, and IV of the United States Information and Educational Exchange Act of 1948: *Provided further*, That funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee.

41 U. S. C. § 5.

Contracts for short-wave radio stations.

41 U. S. C. § 5.

50 U. S. C. § 175.

47 Stat. 412.

Ante, pp. 7, 8.

Salaries and expenses, American sections, international commissions: The amount made available under this head in the Department of State Appropriation Act, 1948, for the International Joint Commission, United States and Canada, is increased from "$37,200" to "$38,700"; and the amount made available under said head for special and technical investigations in connection with matters falling within the jurisdiction of the International Joint Commission, United States and Canada, is decreased from "$191,017" to "$189,517".

61 Stat. 285.

GENERAL PROVISION—DEPARTMENT OF STATE

The funds (not to exceed $4,000,000) and authority available to the Secretary of State pursuant to the Act of March 11, 1941 (55 Stat. 31), as amended, to carry out the agreement of December 31, 1943, between the Government of the United States of America and the Government of Liberia for the construction of the port, port

22 U. S. C. §§ 411-419; Supp. I, § 415. 58 Stat. 1357.

facilities, and access roads in Monrovia, Liberia, which have been heretofore partially constructed, shall remain available for such purpose until June 30, 1950.

TREASURY DEPARTMENT

FISCAL SERVICE

BUREAU OF ACCOUNTS

Refund of moneys erroneously received and covered: For an additional amount for "Refund of moneys erroneously received and covered", $300,000, to be derived by transfer from the appropriation
61 Stat. 623. "Refunds under Renegotiation Act, 1948".

Payment of certified claims: For an additional amount for "Payment of certified claims", $1,000,000, to be derived by transfer from
61 Stat. 623. the appropriation "Refunds under Renegotiation Act, 1948".

BUREAU OF THE PUBLIC DEBT

Distinctive paper for United States currency: For an additional amount for "Distinctive paper for United States currency", $361,000, to be derived by transfer from the appropriation "Administering the
61 Stat. 218. Public Debt, 1948".

BUREAU OF CUSTOMS

Collecting the revenue from customs: Funds appropriated under this head for the fiscal year 1948 are hereby made available for the payment to bridge, tunnel, and ferry companies, of claims for refund of reimbursements of extra compensation of customs officers and employees for inspectional services in connection with traffic over highways, toll bridges, toll tunnels, or ferries, as required by section 2 of
58 Stat. 270. the Act of June 3, 1944 (19 U. S. C. 1451a).

Refunds and draw-backs: For an additional amount, for "Refunds and draw-backs", $4,500,000.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: The limitation under this head in the Treas-
61 Stat. 220. ury Department Appropriation Act, 1948, on the amount available for printing and binding, is increased from "$2,530,000" to "$2,670,000".

Ante, p. 109. Refunding internal revenue collections: For an additional amount for "Refunding internal revenue collections", $568,000,000.

BUREAU OF ENGRAVING AND PRINTING

Salaries and expenses: For an additional amount for "Salaries and expenses", $1,250,000, to be derived by transfer from the appropria-
61 Stat. 218. tion "Administering the Public Debt, 1948".

SECRET SERVICE DIVISION

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For an additional amount for "Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", $10,700, to be derived by transfer from the appropriation "Salaries and expenses, guard
61 Stat. 222. force, Treasury Department, 1948".

TITLE II

CLAIMS FOR DAMAGES, JUDGMENTS, AND AUDITED CLAIMS

For payment of claims for damages as settled and determined by departments and agencies in accord with law, audited claims certified to be due by the General Accounting Office, and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in Senate Document Numbered 132 and House Document Numbered 544, Eighteith Congress, $16,047,956.34, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or in certain of the settlements of the General Accounting Office or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

TITLE III—REDUCTION IN APPROPRIATION

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

Office of the Administrator

Penalty mail: The amount made available under this head in the Federal Security Agency Appropriation Act, 1948, is reduced by the amount of $275,000, said amount to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act. 61 Stat. 275.

DEPARTMENT OF THE ARMY—MILITARY FUNCTIONS

The amounts made available under the following heads in the Military Appropriation Act, 1948, are reduced by the amounts indicated, said amounts to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act: 61 Stat. 551.

Finance Service, Army:
Pay of the Army, $32,300,000;
Travel of the Army, $11,000,000.
Medical and Hospital Department, Army, $10,500,000.
Chemical Service, Army, $270,000.
Reserve Officers Training Corps, $3,000,000.

DEPARTMENT OF THE NAVY

BUREAU OF YARDS AND DOCKS

Public Works, Bureau of Yards and Docks

The unfinanced contract authority provided under this head prior to July 1, 1946, is reduced by the amount of $205,071,294.

TITLE IV—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not, contrary to the provisions of this section, engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 402. This Act may be cited as the "First Deficiency Appropriation Act, 1948".

Approved May 10, 1948.

[CHAPTER 275]

AN ACT

May 11, 1948
[S. 1611]
[Public Law 520]

To extend the time for completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minnesota.

Mississippi River. Bridge at Sauk Rapids, Minn., time extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of a bridge across the Mississippi River, at or near Sauk Rapids, Minnesota, authorized to be built by the Minnesota Department of Highways and the counties of Benton and Stearns in Minnesota, by an Act of Congress approved October 9, 1940, heretofore extended by an Act of Congress approved June 1, 1944, is hereby extended three years from October 9, 1946.

54 Stat. 1061.

58 Stat. 266.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 11, 1948.

[CHAPTER 276]

AN ACT

May 11, 1948
[S. 1648]
[Public Law 521]

To authorize the expenditure of income from Federal Prison Industries, Incorporated, for training of Federal prisoners.

Federal Prison Industries, Inc. Expenditures.
Post, pp. 866, 1194.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of May 27, 1930 (46 Stat. 391; 18 U. S. C. 744 a–h), relating to the training and schooling of prisoners in trades and occupations

shall be construed as applying to all inmates of Federal penal and correctional institutions qualified for such training and schooling without regard to their industrial or other assignments. The prison industries fund established by section 4 of the Act of June 23, 1934 (48 Stat. 1211; 18 U. S. C. 744–L), may be employed in paying the expense of such training and schooling within the limits of amounts specifically authorized annually in the Government Corporations Appropriations Act.

18 U. S. C. § 744*l*.
Post, p. 866.

Approved May 11, 1948.

[CHAPTER 277]

JOINT RESOLUTION

May 11, 1948
[S. J. Res. 198]
[Public Law 522]

To authorize the Postmaster General to withhold the awarding of star-route contracts for a period of sixty days.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to withhold the awarding of star-route contracts for which bids have been received in the second contract section for a period of sixty days after March 30, 1948.

Approved May 11, 1948.

[CHAPTER 284]

AN ACT

May 12, 1948
[S. 1298]
[Public Law 523]

To validate payments heretofore made by disbursing officers of the United States Government covering cost of shipment of household effects of civilian employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments heretofore made by disbursing officers covering the cost of shipment of household effects of civilian employees of the Government of the United States made under orders directing permanent change of station of said employees where such shipments were made from the last permanent-duty station of said employees or from some other place, to some place other than the new permanent-duty station of such employees, are hereby validated, if otherwise proper, and such employees shall be relieved of indebtedness to the United States on account of such shipments to the extent that such payments do not exceed the cost which would have been properly borne by the United States for such shipments under laws and regulations in effect at the time of such shipments, had such shipments been made from the old to the new permanent-duty station of such employees: *Provided*, That in any case where a civilian employee has made refundment to the United States on account of payments herein validated, reimbursement of the amount so refunded is hereby authorized to be made to such employee on the presentation of a claim therefor to the General Accounting Office: *Provided further*, That employees who paid the carriers the amount due covering the shipment of their household effects shall be entitled to reimbursement of so much of the amount expended, if otherwise proper, as does not exceed the cost of such shipment from the old to the new permanent-duty station upon presentation of a claim therefor to the General Accounting Office: *And provided further*, That amounts due deceased persons or persons determined to be mentally incompetent shall be paid to the extent herein provided upon presentation of a claim therefor to the General Accounting Office by their heirs or personal representatives.

Disbursing officers.
Validation of certain payments.

Reimbursements.

Amounts due deceased or incompetent persons.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the settlement of accounts of disbursing officers of the Government of the United States covering payments

Credit in accounts.

for the shipment of household effects of civilian employees which are, and to the extent that such payments are, validated by section 1 hereof.

Appropriation authorized.

SEC. 3. Such appropriations as may be required for the settlement of claims under the provisions of this Act are hereby authorized.

Approved May 12, 1948.

[CHAPTER 285]

AN ACT

May 12, 1948
[S. 1545]
[Public Law 524]

To authorize a bridge, roads and approaches, supports and bents, or other structures, across, over, or upon lands of the United States within the limits of the Colonial National Historical Park at or near Yorktown, Virginia.

Colonial National Historical Park, Va. Right-of-way.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon such terms and conditions as to location, type, or design of the structure or otherwise as to him and to the Secretary of the Navy may appear proper to protect the interests of the United States, is authorized to grant to the Commonwealth of Virginia or to its agency the Highway Commission of said Commonwealth right-of-way or other easement as may be proper to enable a highway bridge the level and design of which shall be subject to the approval of the Secretary of the Interior and the Secretary of the Navy, such bridge to be erected, operated, and maintained across the York River in the State of Virginia at or near Yorktown, Virginia, and for the purpose of permitting such portions of said bridge, the roads and approaches thereto, together with any necessary structures connected therewith as may be necessary for the construction, maintenance, and operation of said bridge, and for safe, reasonable, and proper ingress thereto or egress therefrom, to be located and erected across, over, or upon the property of the United States forming a part of the Colonial National Historical Park.

Payment.

The Secretary of the Interior is directed and authorized to secure and accept payment in cash or by land exchange as compensation to the United States for any lands used for such right-of-way and any moneys received may in turn be used by the Secretary of the Interior for the purchase of other privately owned historical lands within the boundaries of Colonial National Historical Park. Any lands so received or so purchased shall become part of Colonial National Historical Park.

Determination of value of land.

The value of the park lands to be conveyed to the Commonwealth of Virginia as herein provided shall be determined by a committee of three appraisers, one each to be selected by the Governor of Virginia and the Secretary of the Interior, with the third appraiser to be mutually satisfactory to them. The Secretary may, in his discretion, approve the value agreed upon by a majority of the appraisers or he may require a new appraisal to be made in a similar manner. The decision of the Secretary shall be final and conclusive as to the value of the easement lands conveyed pursuant to the provisions of this Act.

Nothing in this Act or in any grant of right-of-way or other easement issued pursuant to this Act shall be construed to affect the provisions of the General Bridge Act of 1946 (60 Stat. 847).

33 U. S. C. §§ 525-533.
Post, p. 267.

Approved May 12, 1948.

[CHAPTER 286]

AN ACT

May 12, 1948
[H. R. 1036]
[Public Law 525]

To provide for the licensing of marine radiotelegraph operators as ship radio officers, and for other purposes.

Marine radiotelegraph operators. Licensing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the

complement of any vessel prescribed pursuant to section 4463 of the Revised Statutes, as amended (46 U. S. C., sec. 222), includes one or more radiotelegraph operators such operators shall be required to be licensed officers.

Licensing by boards of local inspectors.

SEC. 2. The boards of local inspectors authorized under section 4414 of the Revised Statutes (U. S. C., 1940 edition, title 46, sec. 382) shall license radiotelegraph operators, and it shall be unlawful to employ any person or for any person to serve as a radiotelegraph operator of any steamer or of any other vessel of over one hundred gross tons carrying passengers for hire who is not licensed by the inspectors; and anyone violating this section shall be liable to a penalty of $100 for each offense.

Requirements.

SEC. 3. Whenever any person applies for authority to perform the duties of radiotelegraph operator of any vessel, the inspectors shall require possession of a valid first- or second-class radiotelegraph operator license issued by the Federal Communications Commission; and if, upon full consideration, they are satisfied that his character, habits of life, and physical condition are such as to authorize the belief that he is a suitable and safe person to be entrusted with the powers and duties of such a station, they shall grant him a license, authorizing him to be employed in such duties for the term of five years, provided he continues to hold a valid first- or second-class radiotelegraph operator license issued by the Federal Communications Commission.

Suspension or revocation.

All licenses issued under this section shall be subject to suspension or revocation on the same grounds and in the same manner and with like procedure as is provided in the case of suspension or revocation of license of officers under the provisions of section 4450 of the Revised Statutes, as amended.

46 U. S. C. § 239.

38 Stat. 1164.

SEC. 4. (a) Section 2 of the Act of March 4, 1915, as amended (U. S. C., 1940 edition, title 46, sec. 673), is amended by striking out the period after the words "management of the vessel" and inserting a colon and the following words: "*Provided*, That in the case of radiotelegraph operators this requirement shall be applicable only when three or more radio officers are employed."

(b) Nothing in this Act shall be presumed to repeal the provisions of section 2 of the Act of March 4, 1915, as amended (U. S. C., 1940 edition, title 46, sec. 673), limiting the work of radiotelegraph operators to eight hours in one day.

38 Stat. 1164.

Oath.

SEC. 5. Every radiotelegraph operator who receives a license shall, before entering upon his duties, make oath before one of the inspectors herein provided for, to be recorded with the certificate, that he will faithfully and honestly, according to his best skill and judgment, without concealment or reservation, perform all the duties required of him by law.

Every applicant for license as radiotelegraph operator under the provisions of this Act shall make and subscribe to an oath or affirmation, before one of the inspectors referred to in this Act, to the truth of all the statements set forth in his application for such license.

Any person who shall make or subscribe to any oath or affirmation authorized in this Act and knowing the same to be false shall be deemed guilty of perjury.

Change of license by operator.

Every radiotelegraph operator, who shall change, by addition, interpolation, or erasure of any kind, any certificate or license issued by an inspector or inspectors referred to in this Act shall, for every such offense, upon conviction, be punished by a fine of not more than $500 or by imprisonment at hard labor for a term not exceeding three years.

Posting license on vessel.

SEC. 6. Every radiotelegraph operator who shall receive a license shall, when employed upon any vessel, within forty-eight hours after going on duty, place his certificate of license, which shall be framed under glass, in some conspicuous place in such vessel, where it can

Transfer to another vessel.

be seen by passengers and others at all times: *Provided*, That in case of emergency such radiotelegraph operator may be transferred to another vessel of the same owners for a period not exceeding forty-eight hours without the transfer of his license; and for every neglect to comply with this provision by any such radiotelegraph operator, he shall be subject to a fine of $100 or to the revocation of his license.

Vessels on Great Lakes.

SEC. 7. Nothing in this Act shall affect the status of radiotelegraph operators while serving aboard vessels operating solely on the Great Lakes.

Number of operators.

SEC. 8. Nothing in this Act shall increase the number of radiotelegraph operators at present required by law to be carried on vessels, or the type of vessels on which radiotelegraph operators are required to be carried, or to alter, repeal, modify, or affect any other statute of the United States, it being the only intent of this Act to give to radiotelegraph operators the status of licensed officers as herein provided without affecting in any way any statute of the United States except as specifically hereinbefore authorized.

Effective date.

SEC. 9. The provisions of this Act will become effective on April 1, 1949.

Approved May 12, 1948.

[CHAPTER 289]

AN ACT

May 14, 1948
[S. 1620]
[Public Law 526]

To establish eligibility for burial in national cemeteries, and for other purposes.

Eligibility for burial in national cemeteries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That burial in national cemeteries of the remains of the following classes of persons is authorized under such regulations as the Secretary of the Army may prescribe: (a) Any member or former member of the armed forces of the United States whose last service terminated honorably, by death or otherwise; (b) any citizen of the United States who, during any war in which the United States has been or may hereafter be engaged, served in the armed forces of any government allied with the United States during such war, and whose last service terminated honorably, by death or otherwise; and (c) the wife, husband, widow, widower, minor child, and, in the discretion of the Secretary of the Army, unmarried adult child of any of the persons enumerated in (a) and (b) herein: *Provided*, That the remains of those persons enumerated in (c), above, may, in the discretion of the Secretary of the Army, be removed from a national cemetery proper and interred in the post section of a national cemetery or in a post cemetery if, upon death, the related member of the armed forces of the United States or allied government is not buried in the same or an adjoining grave site.

Burial in post section.

Certain Cabinet members.

Persons who were members of the Cabinet of the President of the United States at any time during the period between April 6, 1917, and November 11, 1918, may also be buried in any national cemetery: *Provided*, That the interment is without cost to the United States.

"Widow."

As used in this section, the term "widow" includes the widow of any member of the armed forces of the United States lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action.

Repeal.

SEC. 2. Section 4878, Revised Statutes, as amended (24 U. S. C. 281), is hereby repealed.

Approved May 14, 1948.

[CHAPTER 290]

AN ACT

May 14, 1948
[H. R. 5963]
[Public Law 527]

To authorize the construction of a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is hereby authorized to construct, equip, and furnish the building for the use of the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, the planning and site acquisition of which were authorized by the Act of May 29, 1947 (Public Law 80, Eightieth Congress), under a total limit of cost for the entire project of $18,665,000, including architectural, engineering, and administrative expenses (which limit of cost also includes the credit of $2,420,000 granted the District of Columbia as compensation for the site of the project by said Act of May 29, 1947, and the $370,000 for plans and specifications heretofore appropriated under Public Law 271, Eightieth Congress, approved July 30, 1947): *Provided*, That the Commissioners of the District of Columbia shall repay to the United States, over a period of twenty-five years, 50 per centum of the cost of the entire project upon completion, less the credit of $2,420,000 granted the District of Columbia as compensation for the site of the project by said Act of May 29, 1947, in equal annual installments, beginning with the July 1 next following the date of completion of the project: *Provided further*, That the cost of operation, maintenance, and repair of the completed project shall be divided equally between the United States of America and the District of Columbia.

D. C. courthouse. Construction authorized.

61 Stat. 120. Cost limitation.

61 Stat. 612. Repayment to U. S.

61 Stat. 121.

SEC. 2. The operation, maintenance, and repair of the completed building shall be under the control of the Public Buildings Administration, in the Federal Works Agency, and the allocation of space therein shall be vested in the chief justice of the United States Court of Appeals for the District of Columbia and the chief justice of the District Court of the United States for the District of Columbia.

Maintenance, etc.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Appropriation authorized. *Post*, p. 1033.

Approved May 14, 1948.

[CHAPTER 292]

AN ACT

May 14, 1948
[S. 1935]
[Public Law 528]

To amend the Act entitled "Boulder Canyon Project Adjustment Act", approved July 19, 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 19, 1940, entitled "Boulder Canyon Project Adjustment Act" (54 Stat. 774), is amended by adding the following new paragraph to section 2:

Boulder Canyon Project Adjustment Act, amendment. 43 U. S. C. §§ 618–618s; Supp. I, § 618 *et seq.* *Post*, p. 284.

"SEC. 2. (e) Annual appropriation for the fiscal years 1948, 1949, 1950, and 1951 for payment to the Boulder City School District, as reimbursement for the actual cost of instruction, during each school year, in the schools operated by said district, of pupils who are dependents of any employee or employees of the United States living in or in the immediate vicinity of Boulder City, such reimbursement not to exceed the sum of $65 per semester per pupil and to be payable semiannually, after the term of instruction in each semester has been completed, under regulation to be prescribed by the Secretary."

Ante, p. 221; *post*, p. 1130.

Approved May 14, 1948.

[CHAPTER 293]

AN ACT

May 14, 1948
[H. R. 5262]
[Public Law 529]

To authorize the sale of individual Indian lands acquired under the Act of June 18, 1934, and under the Act of June 26, 1936.

Sale of Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his duly authorized representative, is hereby authorized in his discretion, and upon application of the Indian owners, to issue patents in fee, to remove restrictions against alienation, and to approve conveyances, with respect to lands or interests in lands held by individual Indians under the provisions of the Act of June 18, 1934 (48 Stat. 984), or the Act of June 26, 1936 (49 Stat. 1967).

25 U. S. C. §§ 461-479, 501-509; Supp. I, § 502.
Post, p. 991.

Approved May 14, 1948.

[CHAPTER 298]

AN ACT

May 18, 1948
[H. R. 1189]
[Public Law 530]

To establish the methods of advancement for post-office employees (rural carriers) in the field service.

Seniority Act for Rural Mail Carriers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seniority status of a rural mail carrier shall be based upon the regulations of the Post Office Department which provide that seniority shall commence on the day of appointment as a regular rural carrier. In case of voluntary transfer from one post office to another, or from any branch of the service into the rural service, the relative seniority of the transferee shall be determined by the date of entrance into the rural service of the office to which transfer is made.

Original appointments.

SEC. 2. All rural carriers, upon entering the service, shall be assigned to the least desirable route and shall rise to the more desirable routes by seniority only.

Promotions.

SEC. 3. The awarding of promotions and preferential assignments shall be based upon seniority and ability; if ability be sufficient, seniority shall govern.

New route or vacancy.

SEC. 4. Each new route or vacancy shall be bulletined and all rural carriers attached to the office shall be given a chance to apply. The senior rural carrier who applies shall be assigned thereto as provided in section 3.

Inability to fill assignment.

SEC. 5. Rural carriers awarded these assignments shall have ninety days in which to demonstrate their fitness for the route and shall not be removed therefrom until their inability to fill the assignment has been proven. In case of their inability to fill the new assignment they shall be returned to their former position. Such rural carrier shall be allowed the right of appeal as stated in section 6.

Hearing.

SEC. 6. (a) A senior rural carrier who makes application for a new or vacant route, whose application has been denied, or who has been declared incompetent for same, shall have the right, upon written request, to a hearing before a post-office inspector, on his case, and shall be furnished a statement in writing of the reasons for his rejection by official responsible for same.

(b) This hearing shall occur, except under unusual conditions preventing same, within ten days from the date of his request. In case of a postponement, the rural carrier affected shall be given a written statement of the reason for the postponement.

(c) The rural carrier shall have the right to be represented at the hearing by not more than three representatives of his own choosing.

SEC. 7. The provisions of this Act shall not be construed as supplanting any civil-service regulations in effect on the date of its enactment.

SEC. 8. This Act shall be known as the "Seniority Act for Rural Mail Carriers". Short title.

Approved May 18, 1948.

[CHAPTER 299]

AN ACT

May 18, 1948
[H. R. 1562]
[Public Law 531]

To increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States", approved August 27, 1888, as amended (U. S. C., 1946 edition, title 24, sec. 134), is amended by striking out in the first paragraph thereof "$300 per annum" and inserting in lieu thereof "$500 per annum from the effective date of this amendment through June 30, 1951, and $300 per annum thereafter". Disabled soldiers and sailors. Support. 25 Stat. 450.

SEC. 2. The amendment made by this Act shall apply to payments with respect to the care given to disabled soldiers and sailors on and after the first day of the month next following the month during which this Act is enacted: *Provided*, That said payments shall be made regardless of whether said veteran may be receiving domiciliary care or hospitalization in said home and the appropriations of the Veterans' Administration for medical, hospital, and domiciliary care shall be available for this purpose: *Provided further*, That no payment to a State or Territory under this Act shall be made for any period prior to the date upon which the Administrator of Veterans' Affairs determines that the veteran on whose account such payment is requested is eligible for such care in a Veterans' Administration facility. Effective date.

Approved May 18, 1948.

[CHAPTER 300]

AN ACT

May 18, 1948
[H. R. 5035]
[Public Law 532]

To authorize the attendance of the United States Marine Band at the Eighty-second National Encampment of the Grand Army of the Republic to be held in Grand Rapids, Michigan, September 26 to 30, 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Eighty-second National Encampment of the Grand Army of the Republic to be held in Grand Rapids, Michigan, September 26 to 30, 1948. U. S. Marine Band. Attendance at G. A. R. encampment.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is hereby authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed $6 per day each for additional traveling and living expenses while on duty, such allowances to be in addition to the pay and allowance to which they would be entitled while serving their permanent station. Appropriation authorized.

Approved May 18, 1948.

[CHAPTER 302]

AN ACT

May 18, 1948
[H. R. 4068]
[Public Law 533]

To authorize the Federal Works Administrator to construct a building for the General Accounting Office on square 518 in the District of Columbia, and for other purposes.

General Accounting Office.
Construction of building.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in lieu of completing the construction of the building authorized by the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1036), for the use and occupancy of the General Accounting Office, the Federal Works Administrator is hereby authorized to construct upon square 518 in the District of Columbia a building for the use and occupancy of the General Accounting Office under a limit cost of $22,850,000, exclusive of funds heretofore obligated or expended for the account of the building hereby superseded: *Provided*, That to the extent practicable, the excavations and construction work heretofore performed upon said site for the building hereby superseded may be utilized for the building herein authorized: *Provided further*, That all powers granted the Federal Works Administrator with respect to the building for the General Accounting Office in the District of Columbia by said First Supplemental Civil Functions Appropriation Act, 1941, are hereby continued and may be exercised for the purposes of this Act within the limits herein fixed.

Cost limitation.
Post, p. 1033.

Unexpended balances.

SEC. 2. The balances of any funds heretofore appropriated under authority of said First Supplemental Civil Functions Appropriation Act, 1941, for the building superseded by the building herein authorized which are unexpended and unobligated on the date of approval of this Act, are hereby made available for the purpose of, and shall be chargeable against the authorization contained in this Act; and the Federal Works Administrator is hereby authorized to enter into contracts for the construction of the building herein authorized as funds are appropriated or contract authorizations are provided therefor.

Additional appropriations.

SEC. 3. No appropriation of funds, in addition to those continued available by section 2 of this Act, shall be made for expenditure during any fiscal year prior to 1950: *Provided*, That for expenditure during the fiscal year 1950 and thereafter, there are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act within the limit of cost of $22,850,000 herein fixed.

Approved May 18, 1948.

[CHAPTER 303]

AN ACT

May 18, 1948
[H. R. 107]
[Public Law 534]

For the acquisition and maintenance of wildlife management and control areas in the State of California, and for other purposes.

Wildlife management and control areas, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to purchase or rent not to exceed twenty thousand acres of land or interests therein in suitable locations in the State of California, for the management and control of migratory waterfowl and other wildlife in connection therewith, from moneys to be appropriated by Congress from time to time: *Provided*, That no sums appropriated under this authority for the acquisition of lands shall be expended for such purpose unless and until the State of California shall have set aside and made available for expenditure funds for the purchase of equivalent acreages as determined by the Secretary of the Interior.

Action by Secretary of Interior.

SEC. 2. The Secretary of the Interior may do all things and make all

expenditures necessary to secure the safe title in the United States to the areas which may be acquired under this Act, including purchase of options when deemed necessary, and expenses incident to the location, examination, and survey of such areas and the acquisition of title thereto, but no payments shall be made for any such areas until the title thereto shall be satisfactory to the Attorney General. The acquisition of such areas by the United States shall in no case be defeated because of rights-of-way, easements, exceptions, and reservations which from their nature will, in the opinion of the Secretary of the Interior, in no manner interfere with the use of the areas so encumbered for the purposes of this Act.

SEC. 3. Sections 8, 9, 10, 13, 14, and 15 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U. S. C. 715), as amended, are hereby made applicable for the purposes of this Act in the same manner and to the same extent as though they were enacted as part of this Act, except that lands acquired hereunder may be administered primarily as wildlife management areas not subject to the prohibition against the taking of birds or nests or the eggs thereof, as contained in section 10 of the Migratory Bird Conservation Act, and hunting thereon may be regulated, at the option of the Fish and Game Commission of the State of California, in such cooperative manner as is deemed necessary to carry out the purposes of this Act subject, however, to the provisions of the Migratory Bird Treaty Act of July 3, 1918 (49 Stat. 1555; 16 U. S. C. 703–711), as amended.

16 U. S. C. §§ 715g-715i, 715*l*-715n.

45 Stat. 1224.
16 U. S. C. § 715i.

16 U. S. C., Supp I, § 704 note.

SEC. 4. Funds made available under this or any other Act for the administration, maintenance, and development of any areas acquired under this Act, shall be available also for the construction of dams, dikes, ditches, buildings, and other necessary improvements and for the purchase, planting, growing, and harvesting of grains and other crops for the feeding of waterfowl and other wildlife frequenting the localities where such lands may be purchased or rented.

Availability of funds.
Post, p. 1145.

Approved May 18, 1948.

[CHAPTER 305]

AN ACT

To amend the Act of July 23, 1947 (61 Stat. 409) (Public Law Numbered 219 of the Eighteenth Congress).

May 19, 1948
[H. R. 4892]
[Public Law 535]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 2 of the Act of July 23, 1947 (61 Stat. 409), is amended by striking out the period at the end of the sentence and adding the following: "and upon retirement any officer who is serving, or has served not less than two and one-half years as assistant commandant or engineer in chief (unless entitled to retire at a higher rank or pay under other provisions of law) shall retire with the rank of rear admiral and with the retired pay of a rear admiral (upper half)".

Coast Guard.

14 U. S. C., Supp. I, § 6b.

Approved May 19, 1948.

[CHAPTER 309]

AN ACT

For the relief of Jeffersonville Flood Control District, Jeffersonville, Indiana, a municipal corporation.

May 19, 1948
[H. R. 2000]
[Public Law 536]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon written notice from the Secretary of the Navy that the Jeffersonville Flood Control District has complied with the provisions of section 2 of this

Jeffersonville Flood Control District, Jeffersonville, Ind.

Payment.

Act, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jeffersonville Flood Control District, Jeffersonville, Indiana, a municipal corporation, the sum of $53,099.56. Such sum represents the cost of acquiring an alternate right-of-way for the construction of flood-protection works, the original right-of-way acquired by such district having been taken by the United States for the use of the Department of the Navy, and the Department of the Navy having imposed restrictions making it impossible to construct flood-protection works upon a right-of-way which, pursuant to a stipulation, the Department of the Navy agreed to convey to such district as compensation for the right-of-way taken by the United States. The payment of such sum to such district shall be in full settlement of all claims of such district against the United States on account of complying with the provisions of section 2 of this Act and on account of the taking of such original right-of-way by the United States in proceedings in the United States District Court for the Southern District of Indiana, New Albany Division, entitled "United States of America against 27.02 acres of land, in Jeffersonville, Clark County, Indiana, Howard Shipyards and Dock Company, et al., Civil No. 80", and entitled "United States of America against 15.77 acres of land, more or less, in Jeffersonville, Clark County, Indiana, Dollie Hoffman, et al., Civil No. 92".

Written notice to Secretary of Treasury.

SEC. 2. The Secretary of the Navy shall give written notice to the Secretary of the Treasury that the Jeffersonville Flood Control District has complied with the provisions of this section whenever such district has, in such manner as is satisfactory to the Secretary of the Navy, conveyed to the United States all right, title, and interest which it may have in and to the naval property in Jeffersonville, Clark County, Indiana, particularly described in a proposed grant of easement signed on the 13th day of August, 1943, by which the United States proposed to grant and convey to Jeffersonville Flood Control Commission, Jeffersonville, Indiana, its successors and assigns, a perpetual easement to construct, operate, and maintain a flood-protective system on the two sections of naval property described in such proposed grant of easement.

Approved May 19, 1948.

[CHAPTER 310]

AN ACT

May 19, 1948
[H. R. 4018]
[Public Law 537]

Authorizing the transfer of certain real property for wildlife, or other purposes.

Wildlife conservation.
Transfer of property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency, (1) can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies or by the Secretary of the Interior; and (2) is chiefly valuable for use for any such purpose, and which, in the determination of the War Assets Administrator, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement or transfer of funds (with or without improvements as determined by said Administrator) by the Federal agency having jurisdiction or control of the property to (a) such State agency if the management thereof for the conservation of wildlife relates to other than migratory birds, or (b) to the Secretary of the Interior if the real property has particular value in carrying out the national migratory bird management program. Any such transfer to other than the United States shall be subject to the reservation by the United States of all oil, gas, and mineral rights, and to the condition that the property

shall continue to be used for wildlife conservation or other of the above-stated purposes and in the event it is no longer used for such purposes or in the event it is needed for national defense purposes title thereto shall revert to the United States.

Publication in Federal Register.

SEC. 2. Whenever any real property is transferred pursuant to this Act, the War Assets Administrator shall make and have published in the Federal Register an appropriate order, which may be revised from time to time in like manner, designating for which of the purposes specified in section 1 of this Act the property so transferred shall be used.

Statement of acreage and value.

SEC. 3. A statement of the acreage and value of such property as may have been transferred pursuant to this Act during the preceding fiscal year shall be annually prepared by the War Assets Administrator and shall be included in the annual budget transmitted to the Congress.

Approved May 19, 1948.

[CHAPTER 311]

AN ACT

To amend the Immigration Act of 1924, as amended.

May 19, 1948
[H. R. 5137]
[Public Law 538]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Immigration Act of May 26, 1924, as amended (8 U. S. C. 204 (a)), is hereby amended to read as follows:

Immigration Act of 1924, amendment.
43 Stat. 155.

"(a) An immigrant who is the unmarried child under twenty-one years of age, or the wife, or the husband, of a citizen of the United States: *Provided*, That the marriage shall have occurred prior to issuance of visa and in the case of husbands of citizens, prior to January 1, 1948."

SEC. 2. Section 6 (a) (1) (A) of the Immigration Act of May 26, 1924, as amended (8 U. S. C. 206 (a) (1) (A)), is hereby amended to read as follows:

45 Stat. 1009.

"(A) Quota immigrants who are the fathers or the mothers of citizens of the United States who are twenty-one years of age or over, or who are the husbands of citizens of the United States by marriages occurring on or after January 1, 1948".

Approved May 19, 1948.

[CHAPTER 312]

AN ACT

To extend the time within which application for the benefits of the Mustering-Out Payment Act of 1944 may be made by veterans discharged from the armed forces before the effective date of such Act.

May 19, 1948
[H. R. 5805]
[Public Law 539]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Mustering-Out Payment Act of 1944, as amended (U. S. C., 1940 edition, Supp. V, title 38, sec. 691c), is amended by striking out "within two years after the date of enactment of this Act" and inserting in lieu thereof "not later than February 3, 1950".

58 Stat. 9.
38 U. S. C. § 691c.

Approved May 19, 1948.

[CHAPTER 313]

AN ACT

To permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

May 19, 1948
[H. R. 5933]
[Public Law 540]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duty on

Racing shells.

46 Stat. 630.
19 U. S. C. § 1001, par. 412.

imported racing shells imposed by paragraph 412 of the Tariff Act of 1930 shall be suspended until January 1, 1949.

46 Stat. 683.
19 U. S. C. § 1201, par. 1798.

SEC. 2. (a) Paragraph 1798 of the Tariff Act of 1930, as amended, is hereby amended by inserting, after the sixth proviso, the following: "*Provided further*, That in addition to the exemption authorized by the fourth preceding proviso, a returning resident who has remained beyond the territorial limits of the United States for a period of not less than twelve days, shall be permitted to bring into the United States up to but not exceeding $300 in value of articles (excluding distilled spirits, wines, malt liquors and cigars) acquired abroad by such resident of the United States as an incident of the foreign journey for personal or household use or as souvenirs or curios, but not bought on commission or intended for sale, free of duty: *Provided further*, That any subsequent sale, within three years after the date of the arrival of such returning resident in the United States, of articles acquired and brought into the United States pursuant to the provisions of the immediately preceding proviso shall subject the returning resident declaring the articles to double the import duty which would have been collected had this additional exemption not been in effect: *Provided further*, That the additional exemption authorized by the second preceding proviso shall apply only to articles declared in accordance with regulations to be prescribed by the Secretary of the Treasury by such returning resident who has not taken advantage of the said exemption within the six-month period immediately preceding his return to the United States:".

Exemption on certain purchases abroad.

Sale of articles.

Six-month limitation.

Effective date.

(b) The amendment made by subsection (a) shall be effective with respect to articles declared on or after the day following the date of enactment of this Act.

Approved May 19, 1948.

[CHAPTER 324]

AN ACT

May 20, 1948
[H. R. 3998]
[Public Law 541]

To provide for regulation of certain insurance rates in the District of Columbia, and for other purposes.

Insurance rates, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITIONS.—In this Act, unless the context otherwise requires—

"District."

"District" means the District of Columbia.

"Superintendent."

"Superintendent" means the Superintendent of Insurance of the District of Columbia.

"Insurance."

"Insurance" includes (but is not limited to) fidelity, surety, and guaranty bonds.

"Company."

"Company" means any insurer, whether stock, mutual, reciprocal, interinsurer, Lloyd's, or any other form or group of insurers.

"Policy."

54 Stat. 1064.
D. C. Code § 35-1303.

"Policy" means an insurance policy or contract as defined by Public Law 824, Seventy-sixth Congress, approved October 9, 1940.

"Agent."

"Agent" means and shall include any individual, copartnership, or corporation acting in the capacity of or licensed as a "policy-writing agent", "soliciting agent", or "salaried company employee" as defined by the Act entitled "An Act to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes", approved October 9, 1940.

54 Stat. 1065.
D. C. Code § 35-1303.

SEC. 2. SCOPE OF ACT.—This Act shall apply to all forms of casualty, motor vehicle, explosion, sprinkler leakage, and inland marine insurance in the District and to all forms of insurance within the scope of said Act approved October 9, 1940, except those forms of insurance not enumerated herein which are within the scope of the Act entitled "An Act to provide for the regulation of certain insurance rates in the

54 Stat. 1063.
D. C. Code §§ 35-1301 to 35-1350.

District of Columbia, and for other purposes", approved June 1, 1944: *Provided*, That this Act shall not apply to reinsurance other than joint reinsurance to the extent provided in this Act, and shall not apply to: (a) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies; (b) title insurance; (c) accident and health insurance; (d) insurance against loss of or damage to aircraft or to liability, other than workmen's compensation and employers' liability, arising out of the ownership, maintenance, or use of aircraft; (e) to insurance issued to self-insurers and insuring against loss in excess of at least $10,000 resulting from any one accident or event, except when rates therefor are made by a rating organization.

58 Stat. 267. D. C. Code, Supp. VI, §§ 35-1401 to 35-1409.

Nonapplicability.

SEC. 3. MAKING OF RATES.—(a) Rates for insurance within the scope of this Act shall not be excessive, inadequate, or unfairly discriminatory.

(b) Due consideration shall be given to past and prospective loss experience within and outside the District, to physical hazards, to safety and loss prevention factors, to underwriting practice and judgment, to catastrophe hazards, if any, to a reasonable margin for underwriting profit and contingencies; to dividends, savings, or unabsorbed premium deposits allowed or returned by companies to their policyholders, members, or subscribers; to past and prospective expenses both country-wide and those specially applicable to the District; to whether classification rates exist generally for the risks under consideration; to the rarity or peculiar characteristics of the risks; and to all other relevant factors within and outside the District.

Losses; risks.

(c) Nothing in this section shall be taken to prohibit as unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon the size, expense, management, individual experience, location or dispersion of hazard, or any other reasonable considerations attributable to such risks provided such classifications and modifications apply to all risks under the same or substantially similar circumstances or conditions.

Classification of risks.

(d) Nothing in this Act shall be construed to require uniformity in insurance rates, classifications, rating plans, or practices.

Uniformity in rates, etc.

(e) Nothing in this Act shall abridge or restrict the freedom of contract of companies, agents, brokers, or employees with reference to the commissions or salaries to be paid to such agents, brokers, or employees by companies.

Commissions or salaries.

(f) Rates may become effective immediately upon filing or at such future time as the company or rating organization making them may specify. They shall thereafter remain in effect unless and until changed by the company or rating organization making them, or adjusted by order of the Superintendent in accordance with the provisions of this Act. Rates for contracts or policies described in the last sentence of subsection (c) of section 4 of this Act may become effective when made and filing thereof shall be made promptly thereafter.

Effective date of rates.

Post, p. 244.

(g) No company, agent, or broker shall make, issue, or deliver, or knowingly permit the making, issuance, or delivery of any policy of insurance within the scope of this Act contrary to pertinent filings which are in effect for the company as provided in this Act, except that upon the written application of the insured stating his reasons therefor, filed with and approved by the Superintendent, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

Excessive rates.

SEC. 4. SUPERVISION OF RATES.—(a) On and after July 1, 1948, every company shall file with the Superintendent, either directly or through a licensed rating organization of which it is a member or subscriber,

except as to rates on inland marine risks which are not made by a rating organization and which by general custom of the business are not written according to manual rates or rating plans, all rates and rating plans, rules, and classifications which it uses or proposes to use in the District.

Investigations.

(b) Whenever it shall be made to appear to the Superintendent, either from his own information or from complaint of any party alleging to be aggrieved thereby, that there are reasonable grounds to believe that the rates on any or on all risks or classes of risks or kinds of insurance within the scope of this Act are not in accordance with the terms of this Act, it shall be his duty, and he shall have the full power and authority, to investigate the necessity for an adjustment of any or all such rates.

Adjustments.

(c) After such an investigation of any such rates, the Superintendent shall, before ordering any appropriate adjustment thereof, hold a hearing upon not less than ten days' written notice specifying the matters to be considered at such hearing, to every company and rating organization which filed such rates, provided the Superintendent need not hold such hearing in the event he is advised by every such company and rating organization that they do not desire such hearing. If after such hearing the Superintendent determines that any or all of such rates are excessive or inadequate, he shall order appropriate adjustment thereof. Pending such investigation and order of the Superintendent, rates shall be deemed to have been made in accordance with the terms of this Act. No order of adjustment shall affect any contract or policy made or issued prior to the effective date of such order unless (i) the adjustment to be effected is substantial and exceeds the cost to the companies of making the adjustment and (ii) the order is made after the prescribed investigation and hearing and within thirty days after the filing of rates affected. In no event shall an order of adjustment affect an existing contract or policy other than one of workmen's compensation or automobile liability insurance required by law, order, rule, or regulation of a public authority, or a contract or policy of any type as to which the rates are not, by general custom of the business or because of rarity and peculiar characteristics, written according to normal classification or rating procedure.

Written notice of hearing.

Prior contracts.

(d) In determining the necessity for an adjustment of rates, the Superintendent shall be bound by all of the provisions of section 3 of this Act.

Ante, p. 243.

(e) The Superintendent is further empowered to investigate and to order removed at such time and in such manner as he shall specify any unfair discrimination existing between individual risks or classes of risks.

Removal of discrimination.

SEC. 5. COOPERATIVE AND CONCERTED ACTION AUTHORIZED.—Subject to the provisions of this Act, two or more companies may cooperate or act in concert with each other—

(a) as a rating organization, for the purpose of making rates, rating plans, or rating systems. No company shall be deemed to be a rating organization;

(b) as an advisory organization, for the purpose of preparing policy forms, making underwriting rules, surveys, or inspections incident to but not including the making of rates, rating plans or rating systems, or collecting and furnishing to companies or rating organizations loss or expense statistics or other statistical data, and acting in an advisory as distinguished from a rate making capacity;

(c) as a group or fleet of companies operating under the same general management and control, for the purpose of conducting a complete insurance service;

(d) as a group, association, or other organization for the purpose of joint underwriting or joint reinsurance, or of equitable apportionment and proper rating of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods.

No company shall be required by this Act to be a member or subscriber of any rating organization.

SEC. 6. COOPERATIVE AND CONCERTED ACTION REGULATED.—(a) Every group, association, or other organization of companies authorized to act as such under the terms of this Act, except groups or fleets described in subsection (c) of section 5, shall file with the Superintendent (1) a copy of its constitution, its articles of agreement or association, or its certificate of incorporation, and of its bylaws, rules, and regulations governing the conduct of its business; (2) a list of its members and subscribers, if any; (3) the name and address of a resident of the District upon whom notices or orders of the Superintendent or process affecting it may be served; and shall notify the Superintendent promptly of any change in the foregoing.

(b) No group, association, or organization shall engage in any unfair or unreasonable practice in the conduct of its business.

License to operate in D. C.

(c) No rating organization shall conduct its business with respect to insurance on risks located within the District without a license from the Superintendent. To obtain such a license, a rating organization shall, in addition to the matters specified in subsection (a) of this section, supply to the Superintendent a statement relating to its qualifications as a rating organization and its ability adequately to administer the rates, rules, and regulations which it may make in behalf of its members and subscribers.

If the Superintendent finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating organization, he shall forthwith issue a license specifying the kinds of insurance and subdivisions thereof for which the applicant is authorized to act as a rating organization, but, if the Superintendent does not so find within thirty days after he has received such application, he shall, at the request of the applicant, give the applicant a full hearing.

Licenses issued pursuant to this section shall remain in effect until suspended or revoked by the Superintendent unless voluntarily surrendered by the rating organization. The fee for said license shall be $250 and shall be paid by the applicant through the Superintendent to Collector of Taxes, District of Columbia.

Fee.

Amendment of license.

Licenses issued pursuant to this section may, at the request of the rating organization, be amended by the Superintendent so as to include authority with respect to additional kinds of insurance and subdivisions thereof, provided the rating organization satisfies the Superintendent that such amendment would not in any way be contrary to or inconsistent with the provisions of this Act: *Provided*, That an additional fee in the amount of $50 shall be charged for such amendment.

Fee.

Suspension or revocation.

The license of any rating organization may be suspended or revoked by the Superintendent for failure to comply with this Act or for incompetence or untrustworthiness. The Superintendent shall not revoke or suspend the license of any rating organization until he has given it not less than thirty days' notice of the proposed revocation or suspension and of the grounds alleged therefor and has afforded the rating organization an opportunity to be heard.

Penalty.

In lieu of revoking or suspending the license of any rating organization after hearing and for the causes named herein, the Superintendent may subject such rating organization to a penalty of not more than $250 when in his judgment he finds that the public interest would be best served by the continued operation of the rating organization. The amount of any such penalty shall be paid by the rating organization through the Superintendent to Collector of Taxes, District of Columbia.

Subscribers.

(d) Every licensed rating organization shall, subject to reasonable rules and regulations, permit any company not a member to be a subscriber to its rating services for any kind of insurance or subdivision thereof for which it is authorized to act; shall give notice of changes in such rules and regulations to its subscribers; and shall furnish its rating services without discrimination to its members and subscribers.

Agreements, etc.

(e) No licensed rating organization shall adopt any rule, effect any agreement, or take any action contrary to or inconsistent with the provisions of this Act or which would have the effect of prohibiting, restricting, or regulating the payment or allowance by any of its members or subscribers of dividends, savings, or unabsorbed premium deposits; nor practice or sanction any plan or act of boycott, coercion, or intimidation; nor enter into or sanction any contract or act by which any person is restrained from lawfully engaging in the business of insurance.

Deviation from filings.

(f) Every member of or subscriber to a licensed rating organization shall adhere to the filings made on its behalf by such organization except that any such member or subscriber may deviate from such filings if it has filed with the rating organization and with the Superintendent the deviation to be applied and information necessary to justify the deviation and provided such deviation is approved by the Superintendent. If approved, the deviation shall remain in force until such approval is withdrawn by the Superintendent after notice to the company or withdrawn by the company with the approval of the Superintendent. The Superintendent shall approve any such deviation unless he finds that the deviation to be applied would not be uniform in its application or would be inconsistent with the provisions of this Act, but unless he approves the deviation within thirty days he shall, within a reasonable time, grant a hearing to the applicant at the applicant's request.

Approval by Superintendent.

SEC. 7. INFORMATION TO BE FURNISHED BY COMPANIES.—(a) Every rating organization and every company which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all pertinent information as to such rate.

Hearing of grievances.

(b) Every rating organization and every company which makes its own rates shall provide within the District reasonable means whereby any person aggrieved by the application of its rating system may be heard, in person or by his authorized representative, on his written request to revise the manner in which such rating system has been applied in connection with the insurance afforded him. If the rating organization or company fails to grant or reject such request within thirty days after it is made, the applicant may proceed in the same manner as if his application had been rejected. Any party affected by the action of such rating organization or such company on such request may, within thirty days after written notice of such action, appeal to the Superintendent, who, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization or company, may affirm or reverse such action.

Withholding information.

(c) No company, agent, broker, or rating organization may willfully withhold required information from or give false or misleading information to the Superintendent.

(d) No company, agent, or broker shall fail to furnish to an insured any policy or comparable evidence of insurance to which the insured is entitled.

SEC. 8. AUTHORITY AND DUTY OF SUPERINTENDENT.—In addition to any powers hereinbefore expressly enumerated in this Act, the Superintendent shall have full power and authority, and it shall be his duty,

to enforce by regulations, orders, or otherwise all and singular, the provisions of this Act, and the full intent thereof. In particular he shall have the authority and power— Authority of Superintendent.

(a) to examine all records of companies and rating organizations and to require any or every company, agent, broker, and rating organization to furnish under oath such information as he may deem necessary for the administration of this Act. The expense of such examination shall be paid by the company or rating organization examined. In lieu of such examination the Superintendent may, in his discretion, accept a report of examination made by any other insurance supervisory authority;

(b) to make and enforce such reasonable orders, rules, and regulations as may be necessary in making this Act effective, but such orders, rules, and regulations shall not be contrary to or inconsistent with the provisions of this Act;

(c) to issue an order, after a full hearing to all parties in interest requiring any group, association, or organization of companies and the members thereof to cease and desist from any unfair or unreasonable practice;

(d) The Superintendent may designate one or more rating organizations or other agencies to assist him in gathering statistical data and in making such compilations thereof as may be necessary for the proper administration of this Act. Such compilations shall be made available, subject to reasonable rules promulgated by the Superintendent, to companies and rating organizations.

The Superintendent shall have no authority at any hearing to compel the attendance of witnesses and he shall not be required to adhere to formal rules of pleading or evidence. At the request of a party or parties in interest made prior to any hearing, he shall administer oaths to witnesses and shall permit such party or parties, at the cost and expense of one who so requests, to have made a record of the hearing, which record upon request of such party or parties the Superintendent shall certify. Oaths, etc.

SEC. 9. PENALTIES.—Any company, broker, or agent guilty of violating any of the provisions of this Act or any order, rule, or regulation issued pursuant to this Act, shall be subject to the provisions of sections 3 and 36, respectively, of chapter II, of said Act approved October 9, 1940, as amended. 54 Stat. 1066, 1079. D. C. Code §§ 35-1306, 35-1340; Supp. VI, §§ 35-1306, 35-1340.

SEC. 10. JUDICIAL REVIEW.—Any person, firm or corporation aggrieved by any order, ruling, proceeding, or action of the Superintendent may contest the validity of such order, ruling, proceeding, or action in any court of competent jurisdiction by appeal or through any other appropriate proceedings, as provided under section 45, chapter II, of said Act approved October 9, 1940. 54 Stat. 1082. D. C. Code § 35-1349.

SEC. 11. REPEALS.—All laws or parts of laws, insofar as they relate to business affected hereby and are in conflict with any of the provisions of this Act, are hereby repealed: *Provided*, That this Act shall not be construed as repealing or amending the Act entitled "An Act to amend an Act entitled 'An Act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes', approved June 29, 1938", approved December 15, 1942. 56 Stat. 1051. D. C. Code, Supp. VI, § 44-301.

SEC. 12. UNCONSTITUTIONALITY.—If any section or provision of this Act is held unconstitutional or invalid, the validity of the Act as a whole or of any part thereof, other than the part decided to be unconstitutional or invalid, shall not be affected.

SEC. 13. EFFECTIVE DATE.—This Act shall become effective thirty days after approval.

Approved May 20, 1948.

[CHAPTER 325]

AN ACT

May 20, 1948
[H. R. 5118]
[Public Law 542]

To authorize the sale of certain individual Indian land on the Flathead Reservation to the State of Montana.

Flathead Reservation, Mont.
Sale of individual land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Clara Keenan Dumontier, a Flathead Indian, is hereby authorized to sell and convey to the State of Montana the following-described tract of land held by the United States in trust for her under the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), said conveyance to be made by an appropriate warranty deed approved by the Secretary of the Interior or his authorized representative: A tract of land in the north half of the southwest quarter, section 1, township 16 north, range 20 west, Montana principal meridian; more particularly described as follows: Beginning at the southwest corner of the said north half southwest corner, section 1, thence from the said point of beginning northerly along the west line of the said point of beginning northerly along the west line of the said section 1, two hundred and fourteen and five-tenths feet, to a point; thence south eighty degrees forty-eight minutes east one thousand three hundred and forty and five-tenths feet, to a point, on the south line of the said north half of the southwest quarter, section 1; thence westerly along the south line of the said north half of the southwest quarter, section 1, one thousand three hundred and twenty-three and three-tenths feet, to the said point of beginning, containing three and twenty-six hundredths acres, more or less.

25 U. S. C. §§ 461–479.

Approved May 20, 1948.

[CHAPTER 326]

AN ACT

May 20, 1948
[H. R. 5651]
[Public Law 543]

Authorizing the Secretary of the Interior to convey certain lands in South Dakota for municipal or public purposes.

Sioux Sanatorium Farm, Rapid City, S. Dak.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized in his discretion to convey without compensation any lands contained in the Sioux Sanatorium Farm at Rapid City, South Dakota, not necessary for the administration and operation of the Sioux Indian Sanatorium, to the city of Rapid City for municipal purposes, or to any public-school district for educational purposes, or to the State of South Dakota for use of the South Dakota National Guard: *Provided*, That the title to any lands so conveyed shall revert to the United States of America when the land is no longer used for the purposes for which such lands were initially conveyed. The Secretary may also in his discretion convey to any church organization for religious purposes, upon receipt of the reasonable value of such lands, any of such lands not conveyed for any of the purposes above named.

Reversion to U. S.

Conveyance to church organization.

Rehabilitation of needy Indians.

SEC. 2. The Secretary of the Interior is also authorized in his discretion to utilize any of the said lands for the rehabilitation of needy Indians, and to exchange any of such lands for other lands in or near Rapid City more suitable for this purpose.

Approved May 20, 1948.

[CHAPTER 328]

AN ACT

Relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes.

May 21, 1948
[H. R. 3350]
[Public Law 544]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the first section of the Act entitled "An Act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States", approved June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sec. 154), as reads "That the following regulations for preventing collision shall be followed by all vessels navigating all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and are hereby declared special rules duly made by local authority:" is amended to read as follows: "That the following regulations for preventing collisions shall be followed by all vessels upon the harbors, rivers, and other inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal, and the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of its tributaries emptying thereinto and their tributaries, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the waters of the Mobile River above Choctaw Point and all of its tributaries, and the Red River of the North; and are hereby declared special rules duly made by local authority:".

Navigation on inland waters, etc.

30 Stat. 96.
Prevention of collisions.

SEC. 2. Article 3 in the first section of such Act approved June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sec. 173), is amended to read as follows:

30 Stat. 97.

"ART. 3. A steam vessel when towing another vessel or vessels alongside or by pushing ahead shall, in addition to her side lights, carry two bright white lights in a vertical line, one over the other, not less than three feet apart, and when towing one or more vessels astern, regardless of the length of the tow, shall carry an additional bright white light three feet above or below such lights. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in article 2 (a) of this chapter or the after range light mentioned in article 2 (f) of this chapter.

Lights on vessel towing another.

30 Stat. 96, 97.
33 U. S. C. § 172(a), (f).

"Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam."

Light abaft.

SEC. 3. Sections 2, 3, and 4 of such Act of June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sections 157, 158 and 159), are amended to read as follows:

30 Stat. 102.

"SEC. 2. (a) That the Commandant of the United States Coast Guard shall establish such rules to be observed on the waters mentioned in the preceding section by steam vessels in passing each other and as to the lights to be carried on such waters by ferryboats and by vessels and craft of all types when in tow of steam vessels, or operating by hand power or horsepower or drifting with the current, and any other vessels not otherwise provided for, not inconsistent with the provisions of this Act, as he from time to time may deem necessary for safety, which rules are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to all vessels and craft

Special rules.

26 Stat. 328.
33 U. S. C. § 131.
Copies of rules.

mentioned in this subsection, which rules shall, where practicable, be kept posted up in conspicuous places thereon.

Publication.

"(b) Except in an emergency, before any rules or any alteration, amendment, or repeal thereof, are established by the Commandant of the United States Coast Guard under the provisions of this section, the said Commandant shall publish such rules, alterations, amendments, and repeals, and public hearings shall be held with respect thereto before the Coast Guard Merchant Marine Council on such notice as the Commandant deems reasonable under the circumstances.

Penalty for pilots, etc. *Infra.*

"SEC. 3. That every pilot, engineer, mate, or master of any steam vessel, as defined in rule numbered 1, and every master or mate of any barge or canal boat, who neglects or refuses to observe the provisions of this Act, or the regulations established in pursuance of the preceding section shall be liable to a penalty of one hundred dollars, and for all damages sustained by any passenger in his person or baggage by such neglect or refusal: *Provided*, That nothing herein shall relieve any vessel, owner, or corporation from any liability incurred by reason of such neglect or refusal.

Penalty for vessels.

"SEC. 4. That every vessel that shall be navigated without complying with the provisions of this Act shall be liable to a penalty of two hundred dollars, one-half to go to the informer, for which sum the vessel so navigated shall be liable and may be seized and proceeded against by action in any district court of the United States having jurisdiction of the offense."

SEC. 4. Section 4233 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, title 33, sec. 301 and the following) is amended to read as follows:

Navigation rules for Mississippi River, etc.

"SEC. 4233. The following regulations for preventing collisions shall be followed by all vessels upon the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of the tributaries emptying thereinto and their tributaries, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the waters of the Mobile River above Choctaw point and all of its tributaries, and the Red River of the North; and are hereby declared special rules duly made by local authority:

"I—PRELIMINARY DEFINITIONS

"RULE NUMBERED 1. In the following rules every steam vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a steam vessel.

"Steam vessel."

"The words 'steam vessel' shall include any vessel propelled by machinery.

"Under way."

"A vessel is 'under way' within the meaning of these rules when she is not at anchor, or made fast to the shore, or aground.

"Visible."

"The word 'visible' in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

"Distinct blast."

"The words 'distinct blast' in these rules, when applied to whistle signals shall mean a clearly audible blast of any length.

"II—LIGHTS, AND SO FORTH

"RULE NUMBERED 2. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights, or impair their visibility, shall be exhibited.

Lights on vessel towing another.

"RULE NUMBERED 3. A steam vessel when towing another vessel or vessels alongside or by pushing ahead shall carry—

"(a) On the starboard side a green light so constructed and fixed as to show the light from ahead and not more than half a

point on the port bow to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least three miles.

"(b) On the port side a red light so constructed and fixed as to show the light from ahead and not more than half a point on the starboard bow, to two points abaft the beam on the port side, and of such a character as to be visible at a distance of at least three miles.

"(c) The said green and red side lights shall be fitted with inboard screens painted black and projecting at least three feet forward from the light, so as to prevent these lights from being seen more than half a point across the bow.

"(d) At or near the stern, where they can best be seen, two red lights in a vertical line, one over the other, not less than three feet apart, of such a character as to be visible from aft for a distance of at least two miles, and so screened as not to be visible forward of the beam.

Additional lights when towing.

"RULE NUMBERED 4. A steam vessel when towing another vessel or vessels on a hawser astern shall carry, in addition to the side lights described in rule 3 (a), (b), and (c) and at a greater height than those lights, in the forward half of the vessel, two bright white lights in a vertical line, one over the other, at least three feet apart. Each of these lights shall be so constructed as to show an unbroken light over an arc of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side and of such a character as to be visible at a distance of at least three miles.

Vessel underway.

26 Stat. 321.
33 U. S. C. § 72.
"River steamer."

"RULE NUMBERED 5. A seagoing steam vessel underway shall carry lights as required by article 2, International Rules, as amended.

"RULE NUMBERED 6. A river steamer, by which is meant a river-type steam vessel with two smokestacks in an athwartship line, may carry, in lieu of the lights prescribed by rule 7 (a), the following lights, namely: One red light on the outboard side of the port smokestack and one green light on the outboard side of the starboard smokestack. Such lights shall show forward, aft, and abeam on their respective sides.

Infra.

Additional lights for vessel underway.

Ante, p. 250.

"RULE NUMBERED 7. (a) A steam vessel underway, except as otherwise provided in these rules, shall carry, in addition to side lights as described in rule 3 (a), (b), and (c), a central range of two white lights, the after light being carried at an elevation higher than the light at the head of the vessel. The headlight shall be so constructed as to show an unbroken light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel, and the after light so as to show all around the horizon.

Barges, etc., in tow; ferryboats.

"(b) The lights for barges, canal boats, scows, and other vessels of nondescript type, when in tow of steam vessels, and for ferryboats, shall be as prescribed by the Commandant, United States Coast Guard.

Sailing vessel underway; vessels in tow.

"RULE NUMBERED 8. A sailing vessel under way, and any vessel being towed except barges, canal boats, scows, and other vessels of nondescript type when in tow of steam vessels, shall carry screened side lights as prescribed by rule 3, sections (a), (b), and (c), for a steam vessel, and a stern light as prescribed by rule 10.

Ante, p. 250; *post*, p. 252.

Portable lights.

"RULE NUMBERED 9. Whenever, as in the case of small vessels during bad weather, the green and red lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for instant exhibition, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side. To make the use of these portable

lights more certain and easy, they shall each be painted outside with the color of the light they respectively contain, and shall be provided with suitable screens.

Vessel being overtaken.

"RULE NUMBERED 10. A vessel which is being overtaken by another, except a steam vessel which already has one or more running lights visible from aft, shall show from her stern to such overtaking vessel a white light or a flare-up light.

"The white light required to be shown by this article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of twelve points of the compass, namely, for six points from right aft on each side of the vessel, so as to be visible at a distance of at least two miles.

Sailing pilot vessels.

"RULE NUMBERED 11. (a) Sailing pilot vessels, when engaged on their station on pilotage duty, and not at anchor, shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, at a distance of at least three miles, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed ten minutes.

"On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

"A sailing pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the side lights above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Steam pilot vessel.

"(b) A steam pilot vessel when engaged on her station on pilotage duty and not at anchor shall, in addition to the lights and flares required for sailing pilot vessels, carry, at a distance of eight feet below her white masthead lights, a red light, visible all around the horizon at a distance of at least three miles, and also the side lights required to be carried by vessels when under way.

All pilot vessels.

"(c) All pilot vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed above, except that the side lights shall not be shown.

"When not engaged on their stations on pilotage duty they shall carry the same lights as other vessels of their class and tonnage.

Motorboats.

54 Stat. 163.
46 U. S. C. §§ 526-526t.

"RULE NUMBERED 12. Motorboats, when not engaged in towing, shall be lighted as provided by the Motorboat Act of April 25, 1940, as amended. When towing, they shall be subject to the same provisions for lighting as other steam vessels towing.

Vessels under 150 feet in length, at anchor.

"RULE NUMBERED 13. (a) A vessel under one hundred and fifty feet in length, when at anchor, and not moored to the bank or wharf, shall carry forward, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles: *Provided*, That the Secretary of the Army may, after investigation, by rule, regulation, or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interest of navigation: *Provided further*, That vessels not more than sixty-five feet in length when at anchor in any such special anchorage area shall not be required to carry or exhibit the white light required by this article.

"Special anchorage areas."

Exception.

Vessels of 150 feet or upward, at anchor.

"(b) A vessel of one hundred and fifty feet or upward in length, when at anchor, and not moored to the bank or a wharf, shall carry

in the forward part of the vessel, where it can best be seen, one such light, and at or near the stern of the vessel, and at such a height that it shall not be less than fifteen feet lower than the forward light, another such light.

Vessel of war; Coast Guard cutter.

"RULE NUMBERED 14. The exhibition of any light on board of a vessel of war of the United States or a Coast Guard cutter may be suspended whenever, in the opinion of the Secretary of the Navy, the commander in chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it.

Signals.

"RULE NUMBERED 15. All signals prescribed by this article for vessels under way shall be given—

"By 'steam vessels' on the whistle or siren.

"By sailing vessels and 'vessels towed' on the foghorn.

"A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction; also with an efficient bell. A sailing vessel of twenty gross tons or upward shall be provided with a similar bell.

"In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals described by this article shall be used as follows, namely:

"(a) A steam vessel under way and towing another vessel or vessels shall sound, at intervals of not more than one minute, three distinct blasts of the whistle, of approximately equal length.

"(b) A steam vessel under way without a tow shall sound, at intervals of not more than one minute, three blasts of the whistle, the first two blasts to be approximately of equal length, the last blast to be longer.

"(c) A steam vessel, with or without a tow, lying to, by which is meant holding her position near or against the bank by using her engines, or temporarily moored to the bank, when a fog signal or other sound is heard indicating the approach of another vessel, shall, if lying to on the right bank, give one tap of the bell to indicate her presence, and if lying to on the left bank, two taps of the bell, at intervals of not more than one minute, such signals to continue until the approaching steam vessel has passed. Right and left bank is understood as facing downstream or with the flow of the current.

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

Speed in fog, etc.

"RULE NUMBERED 16. Every steam vessel shall, in fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, go at a moderate speed. A steam vessel hearing, apparently forward of her beam, the fog signal of another vessel shall at once reduce her speed to bare steerageway, and navigate with caution until the vessels shall have passed each other.

Sailing vessels approaching one another.

"RULE NUMBERED 17. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, namely:

"(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

"(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

"(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

"(d) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

"(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

"III—STEERING AND SAILING RULES

"PRELIMINARY—RISK OF COLLISION

"Risk of collision can, when circumstances permit, be ascertained by carefully watching the bearing of an approaching vessel. If the bearing does not appreciably change such risk should be deemed to exist.

Vessels meeting end on.

"RULE NUMBERED 18. (a) When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, except when one steam vessel is ascending and the other descending a river, it shall be the duty of each to pass on the port side of the other, and to alter course to starboard sufficiently so that this can be done in safety. This maneuver shall require an exchange of one-blast signals when the vessels are not less than one-half mile apart, and either vessel shall blow the first signal which the other shall promptly answer.

Ascending and descending vessels.

"(b) When an ascending steam vessel is approaching a descending steam vessel on a river, the signals for passing shall be one distinct blast of the whistle by each vessel if passing port to port, and two distinct blasts of the whistle if passing starboard to starboard.

"The pilot of the ascending steam vessel shall give the first signal for passing, which shall promptly be answered by the same signal by the pilot of the descending steam vessel, if safe to do so, and both shall be governed accordingly; but if the pilot of the descending steam vessel deems it dangerous to take the side indicated by the ascending steam vessel, he shall immediately signify that fact by sounding four or more short and rapid blasts, the danger signal, and it shall be the duty of the pilot of the ascending steam vessel to answer by a similar danger signal and the engines of both shall immediately be stopped and backed, if necessary, until signals for passing are given, answered, and understood. After sounding the danger signal by both vessels, the pilot of the descending steam vessel shall indicate by his whistle the side on which he desires to pass, and the pilot of the ascending steam vessel shall govern himself accordingly, the descending steam vessel being entitled to the right-of-way.

"The pilot of the descending steam vessel shall not blow the first signal, except that if the other vessel has not whistled when the steam vessels, or the forward end of their tows, if being pushed ahead, are within one-half mile of each other, he shall blow the first danger signal, which shall be promptly answered by a danger signal by the ascending vessel; but whether answered or not, the pilot of the descending vessel shall indicate the side on which he desires to pass, and both vessels shall be governed accordingly.

Vessels crossing.

"RULE NUMBERED 19. (a) When two steam vessels are crossing so as to involve risk of collision, other than when one vessel is overtaking another, the vessel which has the other to starboard shall keep out of the way of the other. Either vessel shall give, as a signal of intention to comply with this rule, one distinct blast of her whistle, which the other vessel shall answer with a similar blast: *Provided, however*, That a steam vessel descending a river and towing another vessel or vessels shall be deemed to have the right-of-way over any steam vessel crossing the river, and shall give as a signal of her intention to hold on across the bow of the other vessel, three distinct blasts of the whistle. The crossing vessel shall immediately reply with a similar signal, and shall keep clear by stopping or going under the stern of the descending vessel.

Descending vessel towing another.

Misunderstanding of signals.

"(b) If from any cause the conditions covered by these situations are such as to prevent immediate compliance with each other's signals, the misunderstanding or objection shall be at once made apparent by blowing four or more short and rapid blasts, the danger signal,

and both steam vessels shall be stopped and backed if necessary until signals for passing with safety in accordance with these rules are given, answered, and understood.

Steam vessel and sailing vessel.

"RULE NUMBERED 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except when the sailing vessel is overtaking the steam vessel, the steam vessel shall keep out of the way of the sailing vessel.

Approaching vessel.

"RULE NUMBERED 21. Every steam vessel, when approaching another vessel so as to involve risk of collision, shall slacken her speed, or, if necessary, stop and reverse.

Overtaking vessel.

"RULE NUMBERED 22. (a) Notwithstanding anything contained in these rules, every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

"Every vessel coming up with another vessel from any direction more than two points abaft her beam shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

"As the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

"(b) When one steam vessel is overtaking another steam vessel, so as to involve risk of collision, and the overtaking vessel shall desire to pass on the right or starboard side of the other vessel, she shall give, as a signal of such desire, one distinct blast of her whistle, and if the overtaken vessel answers with one blast, shall direct her course to starboard; or if the overtaking vessel shall desire to pass on the left or port side of the other vessel, she shall give as a signal of such desire, two distinct blasts of her whistle and if the overtaken vessel answers with two blasts, shall direct her course to port. However, if the overtaken vessel does not think it is safe for the overtaking vessel to attempt to pass at that time, she shall immediately so signify by giving several short and rapid blasts of her whistle, not less than four, and under no circumstances shall the overtaking vessel attempt to pass until such time as they have reached a point where it can be safely done, and the overtaken vessel shall have signified her willingness by blowing the proper signal, two blasts for the overtaking vessel to pass on the port side, one blast to pass on the starboard side, which signal shall be answered with a similar signal by the overtaking vessel before passing. After an agreement has been reached the overtaken vessel shall in no case attempt to cross the bow or crowd upon the course of the overtaking vessel.

Ante, pp. 253, 254; *supra*.

"RULE NUMBERED 23. Where by rules 17, 19, 20, and 22 one of two vessels shall keep out of the way, the other shall keep her course, subject to the qualifications of rule 25.

Post, p. 256.

Danger signal to approaching vessel.

"RULE NUMBERED 24. (a) If, when steam vessels are approaching each other either vessel for any reason fails to understand, or regards as unsafe, the course or intention of the other, the vessel in doubt shall immediately so signify by giving several short and rapid blasts of her whistle, at least four, the danger signal.

Vessel nearing bend in channel.

"(b) Whenever a steam vessel, whether ascending or descending, is nearing a bend in a channel where, from the height of the banks or other cause, a steam vessel approaching from the other direction cannot be seen for a distance of six hundred yards, such steam vessel, when within six hundred yards of such bend—or if she have a tow projecting ahead, then when the head of such tow is within six hundred yards of the bend—shall give a signal by three distinct blasts of her whistle, which signal shall be answered by a similar signal given by any

approaching steam vessel that may be within hearing around the bend. Should such signal be so answered by a steam vessel upon the farther side of such bend, then, immediately upon sighting each other, the usual signals for meeting and passing shall be given and answered. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

Vessel moved from dock, etc.

"(c) When a steam vessel is moved from her dock, or anchorage, she shall give the same signal as in the case of a steam vessel nearing a bend, but she and any approaching vessel shall be governed by rules 25 and 26 until her course is apparent, and then both vessels shall be governed by the other steering and sailing rules.

Infra.

"(For additional whistle signals and other regulations established by the Commandant, United States Coast Guard, see Pilot Rules for Western Rivers as prescribed under section 4233A.)

Infra.

Departure from rules.

"RULE NUMBERED 25. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger. When such departure becomes necessary neither vessel shall have the right-of-way and both shall navigate with caution until danger of collision is over.

Negligence.

"RULE NUMBERED 26. Nothing in these rules shall exonerate any vessel, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

"RULE NUMBERED 27. All orders to helmsmen shall be given as follows:

"Right rudder."

"'Right rudder' to mean 'Direct the vessel's head to starboard'.

"Left rudder."

"'Left rudder' to mean 'Direct the vessel's head to port'.

Rules and regulations.

"SEC. 4233A. (a) The Commandant of the United States Coast Guard shall establish such rules to be observed on the waters mentioned in the preceding section by steam vessels in passing each other and as to the lights to be carried on such waters by ferryboats and by vessels and craft of all types when in tow of steam vessels, or operating by hand power or horsepower or drifting with the current, and any other vessels not otherwise provided for, not inconsistent with the provisions of this Act, as he from time to time may deem necessary for safety, which rules are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to all vessels and craft mentioned in this subsection, which rules shall, where practicable, be kept posted up in conspicuous places thereon.

26 Stat. 328.
33 U. S. C. § 131.

Publication.

"(b) Except in an emergency, before any rules or any alteration, amendment, or repeal thereof, are established by the Commandant of the United States Coast Guard under the provisions of this section, the said Commandant shall publish such rules, alterations, amendments, and repeals and public hearings shall be held with respect thereto before the Coast Guard Merchant Marine Council on such notice as the Commandant deems reasonable under the circumstances.

Penalty for pilots, etc.

"SEC. 4233B. Every licensed or unlicensed pilot, engineer, mate, or master of any steam vessel, and every master or mate of any barge, canal boat, scow, or other nondescript craft, who neglects or refuses to observe the provisions of section 4233, or the regulations established in pursuance of section 4233A, shall be liable to a penalty not exceeding $500, and for all damages sustained by any passenger in his person or baggage by such neglect or refusal: *Provided*, That nothing herein shall relieve any vessel, owner, or corporation from any liability incurred by reason of such neglect or refusal.

Ante, p. 250.

Supra.

"SEC. 4233C. Every vessel that shall be navigated without complying with the provisions of section 4233, or the regulations established in pursuance of section 4233A, shall be liable to a penalty of $500, one-half to go to the informer, for which sum the vessel so navigated shall be liable and may be seized and proceeded against by action in any district court of the United States having jurisdiction of the offense."

Penalty for vessel.
Ante, pp. 250, 256.

SEC. 5. Where any Navy or Coast Guard vessel of special construction, as certified to by the Secretary of the Navy, or the Secretary of the Treasury in the case of Coast Guard vessels operating under the Treasury Department, or such official or officials as either may designate, is now or may hereafter by virtue of statute, convention, or treaty, be exempt from compliance with any requirements of the International Rules of the Road, such type of vessel shall similarly be exempt from compliance with any corresponding requirement under the rules specified in this Act.

Exemption of certain vessels.
Ante, p. 69.

SEC. 6. This Act shall become effective on January 1, 1949.

Effective date.

Approved May 21, 1948.

[CHAPTER 329]

AN ACT

May 21, 1948
[H. R. 3505]
[Public Law 545]

Authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, Louisiana, and by the opening of the Bonnet Carre Spillway, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of not to exceed $50,000 to enable the Fish and Wildlife Service, Department of the Interior, to investigate and study the means and methods best adaptable to the rehabilitation, replanting and maintenance of the oyster beds in the States of Louisiana and Mississippi that have been or may be destroyed through the operation of the Bonnet Carre Spillway and through the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, Louisiana.

Oyster beds, La. and Miss.
Appropriation authorized.

Approved May 21, 1948.

[CHAPTER 330]

AN ACT

May 21, 1948
[H. R. 5543]
[Public Law 546]

Granting the consent of Congress to Carolina Power and Light Company to construct, maintain, and operate a dam in the Lumber River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to Carolina Power and Light Company, its successors or assigns, to construct, maintain, and operate a dam in, and modify the channel of, the Lumber River, at a point suitable to the interests of navigation, approximately three and one-half miles south of Lumberton, North Carolina, and approximately one and one-half miles below the United States Highway Numbered 74 bridge in Robeson County, North Carolina: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and a permit for the construction be issued by them: *Provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Lumber River.
Construction, etc., of dam.

Approval of plans.

Restriction.

Time limitation.

SEC. 2. That the authority granted by this Act shall cease and be null and void, unless actual construction of the dam hereby authorized is commenced within two years and completed within five years from the date of approval of this Act: *Provided*, That from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said Carolina Power and Light Company, its successors or assigns, that desirable water-power developments will be interfered with by the existence of said dam, the said company, or its successors or assigns, shall alter the dam, without expense to the United States, so as to remove said interference and, upon failure to do so within a reasonable time, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States, proposing to develop a power project at or near said dam, shall have authority to remove, submerge, or utilize said dam, under such conditions as said Commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam: *And provided further*, That the Carolina Power and Light Company, its successors or assigns, shall hold and save the United States free from all claims for damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam by reason of operations by the United States for flood control, the preservation or improvement of navigation, or for other purposes.

Removal of interference.

Nonliability of U. S. for damage claims.

Rights reserved.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 21, 1948.

[CHAPTER 333]

AN ACT

May 21, 1948
[H. R. 6226]
[Public Law 547]

Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes.

Supplemental National Defense Appropriation Act, 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1948, and for other purposes, namely:

DEPARTMENT OF THE AIR FORCE

CONSTRUCTION OF AIRCRAFT AND RELATED PROCUREMENT

For construction, procurement, and modification of aircraft and equipment, spare parts and accessories therefor; electronic and communication equipment, detection and warning systems, and specialized equipment; expansion of public plants, and government-owned equipment and installation thereof in public or private plants for the foregoing purposes; and personal services necessary for purposes of this appropriation at the seat of the Government and elsewhere; $608,100,000, of which $250,000,000 is for liquidation of obligations incurred under authority granted in the Military Appropriation Act, 1948, to enter into contracts for the foregoing purposes; and, in addition, the Secretary of the Air Force is authorized, until June 30, 1950, to enter into contracts for the foregoing purposes in an amount not to exceed $1,687,000,000: *Provided*, That the unexpended balance of funds appropriated for the foregoing purposes under the head "Air Corps, Army", in the Military Appropriation Act, 1948, shall be consolidated with this appropriation, to be disbursed and accounted for as one fund which shall remain available until expended: *Provided*

61 Stat. 560.

61 Stat. 559.

further, That any obligation incurred hereunder shall be subject to the general provisions of the Military Appropriation Act for the fiscal year in which such obligation is incurred.

DEPARTMENT OF THE ARMY—MILITARY FUNCTIONS

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Engineer service: For an additional amount for "Engineer Service", including salaries and expenses of district and division offices, master and advance planning, engineering studies, and engineer activities in overseas areas, $20,849,000. *Ante*, p. 223; *post*, p. 1041.

Barracks and quarters, Army: For an additional amount for "Barracks and quarters, Army", including expenses incident to the disposition of surplus facilities, $5,051,000; and in addition $5,900,000 to be derived by transfer in the amounts indicated from the following fiscal year 1948 appropriations: "Special field exercises", $2,600,000; "Training and operation, Army Ground Forces", $300,000; "Medical and Hospital Department, Army", $2,000,000; and "Transportation service, Army", $1,000,000. 61 Stat. 551, 563, 560, 558.

DEPARTMENT OF THE NAVY

BUREAU OF AERONAUTICS

CONSTRUCTION OF AIRCRAFT AND RELATED PROCUREMENT

For new construction and procurement of aircraft and equipment, spare parts and accessories therefor, including expansion of public plants or private plants (not to exceed $500,000), and government-owned equipment and installation thereof in public or private plants, and for the employment of group IVb personnel in the Bureau of Aeronautics necessary for the purposes of this appropriation, to remain available until expended, $315,000,000, of which $150,000,000 is for liquidation of obligations incurred under authority heretofore granted to enter into contracts for the foregoing purposes, including not to exceed $20,000,000 for liquidation of obligations incurred during fiscal year 1945 against appropriation "Aviation, Navy, 1945"; and in addition, the Secretary of the Navy is authorized, until June 30, 1949, to enter into contracts for the purposes of this appropriation in an amount not to exceed $588,000,000: *Provided*, That the unexpended balances of the appropriations of $310,000,000 and $90,000,000 which were made available until expended for the foregoing purposes by the Navy Department Appropriation Act, 1947, and the Navy Department Appropriation Act, 1948, respectively, shall be consolidated with this appropriation, to be disbursed and accounted for as one fund: *Provided further*, That any obligation incurred hereunder shall be subject to the general provisions of the Navy Department Appropriation Act for the fiscal year in which such obligation is incurred. 58 Stat. 312. 60 Stat. 491. 61 Stat. 388.

SEC. 2. The Secretary of Defense shall report to the Committees on Appropriations and Armed Services of the Congress not later than June 30, 1948, and quarterly thereafter, the amounts obligated under the contract authorizations provided for in this Act and such reports shall include a statement of finding by the President that the contracts let are necessary in the interests of the national defense and that the contract specifications insure the maximum utilization of improvements in aircraft and equipment consistent with the defense needs of the United States. Report to Congressional Committees.

SEC. 3. (a) All contracts in excess of $1,000 entered into under the authority of this Act, obligating funds appropriated hereby, obligating Renegotiation Act of 1948.

funds consolidated by this Act with funds appropriated hereby, or entered into through contract authorizations herein granted, and all subcontracts thereunder in excess of $1,000 shall contain the following article:

"RENEGOTIATION ARTICLE.—This contract is subject to the Renegotiation Act of 1948 and the contractor hereby agrees to insert a like article in all contracts or purchase orders to make or furnish any article or to perform all or any part of the work required for the performance of this contract."

Excessive profits.

(b) Whenever in the opinion of the Secretary of Defense excessive profits are reflected under any contract or contracts or subcontract or subcontracts required to contain the Renegotiation Article prescribed in subsection (a), the Secretary is authorized and directed to renegotiate such contracts and subcontracts for the purpose of eliminating excessive profits. He shall endeavor to make an agreement with the contractor or subcontractor with respect to the amount, if any, of such excessive profits and to their elimination. If no such agreement is reached, the Secretary shall issue an order determining the amount, if any, of such excessive profits and shall eliminate them by any of the methods set forth in subsection (c) (2) of the Renegotiation Act of February 25, 1944, as amended. In eliminating excessive profits the Secretary shall allow the contractor or subcontractor credit for Federal income and excess profits taxes as provided in Section 3806 of the Internal Revenue Code. The powers hereby conferred upon the Secretary shall be exercised with respect to the aggregate of the amounts received or accrued under all such contracts and subcontracts by the contractor or subcontractor during his fiscal year or upon such other basis as may be mutually agreed upon; except that this section shall not be applicable in the event that the aggregate of the amounts so received or accrued is less than $100,000 during any fiscal year.

58 Stat. 83.
50 U. S. C. app. § 1191 (c) (1).

56 Stat. 964.
26 U. S. C. § 3806.

Audit of contractor's books.

(c) For the purpose of administering this section the Secretary of Defense shall have the right to audit the books and records of any contractor or subcontractor subject to this section. In the interest of economy and the avoidance of duplication of inspection and audit, the services of the Bureau of Internal Revenue shall, upon request of the Secretary of Defense and with the approval of the Secretary of the Treasury, be made available to the extent determined by the Secretary of the Treasury for the purpose of making examinations and audits under this section.

(d) The provisions of this section shall not apply to any of the contracts or subcontracts specified in subsection (i) (1) of the Renegotiation Act of February 25, 1944, as amended, and the Secretary of Defense in his discretion may exempt from the provisions of this section any other contract or subcontract both individually and by general classes or types.

58 Stat. 88.
50 U. S. C. app. § 1191 (i) (1).

(e) Agreements or orders determining excessive profits shall be final and conclusive in accordance with their terms and except upon a showing of fraud or malfeasance or willful misrepresentation of a material fact shall not be annulled, modified, reopened, or disregarded, except that in the case of orders determining excessive profits the amount of the excessive profits, if any, may be redetermined by the Tax Court of the United States in the manner prescribed in subsection (e) (1) of the Renegotiation Act of February 25, 1944, as amended, except that such redetermination shall be subject to review to the extent and in the manner provided by subchapter B of chapter 5 of the Internal Revenue Code.

58 Stat. 86.
50 U. S. C. app. § 1191 (e) (1).

53 Stat. 163.
26 U. S. C. §§ 1140-1146.

Post, p. 991.
Publication of regulations in Federal Register.

(f) The Secretary of Defense shall promulgate and publish in the Federal Register regulations interpreting and applying this section and prescribing standards and procedures for determining and eliminating excessive profits hereunder using so far as he deems practicable

the principles and procedures of the Renegotiation Act of February 25, 1944, as amended, having regard for the different economic conditions existing on or after the effective date of this Act from those prevailing during the period 1942 to 1945. In any case in which the contract price of any such contract or subcontract was based upon estimated costs, then the Secretary of Defense shall determine the difference between such estimated costs and actual costs and shall, in eliminating excessive profits, take into consideration as an element the extent to which such difference is the result of the efficiency of the contractor or subcontractor.

58 Stat. 78.
50 U. S. C. app. § 1191.

(g) The powers and duties hereby conferred upon the Secretary of Defense may be delegated by him to any officer (military or civilian) or agency of the National Military Establishment.

Delegation of powers.

(h) Any person who willfully fails or refuses to furnish any information, records, or data required of him under this section, or who knowingly furnishes any such information, records, or data containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than two years, or both.

Failure to furnish information.

(i) This section may be cited as the "Renegotiation Act of 1948".

SEC. 4. This Act may be cited as the "Supplemental National Defense Appropriation Act, 1948".

Short title.

Approved May 21, 1948.

[CHAPTER 334]

AN ACT

To amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

May 25, 1948
[S. 2287]
[Public Law 548]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

Reconstruction Finance Corporation Act, amendment.
47 Stat. 5.
15 U. S. C., Supp. I, § 601.

"SEC. 1. (a) There is hereby created a body corporate with the name 'Reconstruction Finance Corporation' (herein called the Corporation), with a capital stock of $100,000,000 subscribed by the United States of America. Its principal office shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the Board of Directors. This Act may be cited as the 'Reconstruction Finance Corporation Act'.

Principal office.

Short title.

"(b) Within six months after the close of each fiscal year the Corporation shall make a report to the Congress of the United States which shall contain financial statements for the fiscal year, including a balance sheet, a statement of income and expense, and an analysis of accumulated net income. The accumulated net income shall be determined after provision for reasonable reserves for uncollectibility of loans and investments outstanding. Such statements shall be prepared from the financial records of the Corporation which shall be maintained in accordance with generally accepted accounting principles applicable to commercial corporate transactions. The report shall contain schedules showing, as of the close of the fiscal year, each direct loan to any one borrower of $100,000 or more, each loan to any one borrower of $100,000 or more in which the Corporation has a participation or an agreement to participate, and the investments in the securities and obligations of any one borrower which total $100,000 or more. Within six months after the end of each fiscal year, beginning with the fiscal year ended June 30, 1948, the Corporation shall pay over to the Secretary of the Treasury as miscellaneous receipts, a dividend on its capital

Report to Congress.

Payment of dividend into Treasury.

stock owned by the United States of America, in the amount by which its accumulated net income exceeds $250,000,000.

Retirement of capital stock.

"(c) Within sixty days after the effective date of this amendment, the Corporation shall retire all its outstanding capital stock in excess of $100,000,000 and shall pay to the Treasury as miscellaneous receipts the par value of the stock so retired."

47 Stat. 5.
15 U. S. C., Supp. I, § 602.

SEC. 2. Section 2 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

Board of directors.

"SEC. 2. The management of the Corporation shall be vested in a board of directors consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the five members of the board, not more than three shall be members of any one political party and not more than one shall be appointed from any one Federal Reserve district. The office of director shall be a full-time position. The term of the incumbent directors is hereby extended to June 30, 1950. As of July 1, 1950, two directors shall be appointed for a term of one year, two directors shall be appointed for a term of two years, and one director shall be appointed for a term of three years. Thereafter the term of the directors shall be for a term of three years, but they may continue in office until their successors are appointed and qualified. Whenever a vacancy shall occur in the office of director other than by expiration of term, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. After the confirmation of the directors by the Senate, the President shall designate one of the directors to serve as chairman for a period coextensive with his term as director. The directors, except the chairman, shall receive salaries at the rate of $12,500 per annum each. The chairman of the board of directors shall receive a salary at the rate of $15,000 per annum."

Terms of office.

Vacancy.

Salaries.

61 Stat. 202.
15 U. S. C., Supp. I, § 603 (a).

SEC. 3. Section 3 (a) of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

Period of succession.

Powers.

"SEC. 3. (a) The Corporation shall have succession through June 30, 1956, unless it is sooner dissolved by an Act of Congress. It shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease or purchase such real estate as may be necessary for the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal; to select, employ, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the transaction of the business of the Corporation, in accordance with laws, applicable to the Corporation, as in effect on June 30, 1947, and as thereafter amended; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted. Except as may be otherwise provided in this Act or in the Government Corporation Control Act, the board of directors of the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures under this Act and the manner in which they shall be incurred, allowed, paid, and accounted for, without regard to the provisions of any other laws governing the expenditure of public funds, and such determinations shall be final and conclusive upon all other officers of the Government. The Corporation shall be entitled to and granted the same immunities and exemptions from the payment of costs, charges, and fees as are granted to the United States pursuant to the provisions of law codified in sections 543, 548, 555, 557, 578, and 578a of title 28 of the United States Code, 1940 edition. The Corporation shall also be entitled to the use of the United States mails in the same manner as the executive departments of the Government. Debts due the Corporation, whether heretofore or hereafter arising, shall not be entitled to the priority

59 Stat. 597.
31 U. S. C. §§ 841-869; Supp. I, § 846 *et seq.*

Post, p. 1283.

Post, pp. 994, 995, 998, 1000.

Priority.

available to the United States pursuant to section 3466 of the Revised Statutes (U. S. C., title 31, sec. 191) except that the Corporation shall be entitled to such priority with respect to debts arising from any transaction pursuant to any of the following Acts or provisions in effect at any time: Sections 5d (1) and 5d (2) of the Reconstruction Finance Corporation Act added by section 5 of the Act entitled 'An Act to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes', approved June 25, 1940 (54 Stat. 573); sections 4 (f) and 9 of the Act entitled 'An Act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes', approved June 11, 1942 (56 Stat. 354, 356); section 2 (e) of the Emergency Price Control Act of 1942 (56 Stat. 26); the Surplus Property Act of 1944 (58 Stat. 765 and the following); sections 11 and 12 of the Veterans' Emergency Housing Act of 1946 (60 Stat. 214, 215); and section 403 of the Sixth Supplemental National Defense Appropriation Act (56 Stat. 245)."

15 U. S. C. § 606b (1) (2).

50 U. S. C. app. §§ 1104 note, 1109.
50 U. S. C. app. § 902 (e).
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Post, pp. 350, 1103.
50 U. S. C. app. §§ 1831, 1832; Supp. I, §§ 1831, 1832.
50 U. S. C. app. § 1191; Supp. I, § 1191.
47 Stat. 6.
15 U. S. C., Supp. I, § 604.
Post, p. 1209.

SEC. 4. Section 4 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"SEC. 4. (a) To aid in financing agriculture, commerce, and industry, to encourage small business, to help in maintaining the economic stability of the country, and to assist in promoting maximum employment and production, the Corporation, within the limitations hereinafter provided, is authorized—

Purchase of obligations of business enterprises.

"(1) To purchase the obligations of and to make loans to any business enterprise organized or operating under the laws of any State or the United States: *Provided*, That the purchase of obligations (including equipment trust certificates) of, or the making of loans to, railroads engaged in interstate commerce or air carriers engaged in air transportation as defined in the Civil Aeronautics Act of 1938, as amended, or receivers or trustees thereof, shall be with the approval of the Interstate Commerce Commission or the Civil Aeronautics Board, respectively: *Provided further*, That in the case of such railroads or air carriers which are not in receivership or trusteeship, the Commission or the Board, as the case may be, in connection with its approval of such purchases or loans, shall also certify that such railroad or air carrier, on the basis of present and prospective earnings, may be expected to meet its fixed charges without a reduction thereof through judicial reorganization except that such certificates shall not be required in the case of loans or purchases made for the acquisition of equipment or for maintenance.

52 Stat. 977.
49 U. S. C. § 401.

Loans to financial institutions.

"(2) To make loans to any financial institution organized under the laws of any State or of the United States. If the Secretary of the Treasury certifies to the Corporation that any insurance company is in need of funds for capital purposes, the Corporation may subscribe for or make loans upon nonassessable preferred stock in such insurance company. In any case in which, under the laws of the State in which it is located, any such insurance company so certified is not permitted to issue nonassessable preferred stock, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, the Corporation is authorized to purchase the legally issued capital notes or debentures of such insurance company.

Financing of projects.

"(3) In order to aid in financing projects authorized under Federal, State, or municipal law, to purchase the securities and obligations of, or make loans to, (A) States, municipalities, and political subdivisions of States, (B) public agencies and instrumentalities of one or more States, municipalities, and political

Restriction.

subdivisions of States, and (C) public corporations, boards, and commissions: *Provided*, That no such purchase or loan shall be made for payment of ordinary governmental or nonproject operating expenses as distinguished from purchases and loans to aid in financing specific public projects.

Floods, etc.

"(4) To make such loans as it may determine to be necessary or appropriate because of floods or other catastrophes.

"(b) The powers granted in section 4 (a) of this Act shall be subject to the following restrictions and limitations:

Financial assistance.

"(1) No financial assistance shall be extended pursuant to paragraphs (1), (2), and (3) of subsection (a) of this section, unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made under paragraphs (1), (2), and (3) of subsection (a) of this section shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.

Time limitation on loans.

"(2) No loan, including renewals or extensions thereof, may be made under sections 4 (a) (1), (2), and (4) for a period or periods exceeding ten years and no securities or obligations maturing more than ten years from date of purchase by the Corporation may be purchased thereunder: *Provided*, That the foregoing restriction on maturities shall not apply to securities or obligations received by the Corporation as a claimant in bankruptcy or equitable reorganization or as a creditor in proceedings under section 20b of the Interstate Commerce Act, as amended: *Provided further*, That any loan made or securities and obligations purchased prior to July 1, 1947, may in aid of orderly liquidation thereof or the interest of national security, be renewed or the maturity extended for such period not in excess of ten years and upon such terms as the Corporation may determine: *Provided further*, That any loan made under section 4 (a) (1) for the purpose of constructing industrial facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction. The Corporation may, in carrying out the provisions of subsection 4 (a) (3), purchase securities and obligations, or make loans, including renewals or extensions thereof, with maturity dates not in excess of forty years, as the Corporation may determine.

Ante, p. 163.

Loan for construction of industrial facilities.

Participation in loans, limitation.

"(3) In agreements to participate in loans, wherein the Corporation's disbursements are deferred, such participations by the Corporation shall be limited to 70 per centum of the balance of the loan outstanding at the time of the disbursement, in those cases where the total amount borrowed is $100,000 or less, and shall be limited to 60 per centum of the balance outstanding at the time of disbursement, in those cases where the total amount borrowed is over $100,000.

Total amount of loans, etc.

"(c) The total amount of investments, loans, purchases, and commitments made subsequent to June 30, 1947, pursuant to section 4 shall not exceed $1,500,000,000 outstanding at any one time: *Provided*, That the aggregate amount outstanding at any one time shall not exceed (1) under subsection (a) (4) $25,000,000, (2) for construction purposes under subsection (a) (3) $200,000,000, and (3) under the last two sentences of subsection (a) (2) $15,000,000.

Post, p. 1209.

Post, p. 1101.

Restriction on payment of fee.

"(d) No fee or commission shall be paid by any applicant for financial assistance under the provisions of this Act in connection with any such application, and any agreement to pay or payment of any such fee or commission shall be unlawful.

"(e) No director, officer, attorney, agent, or employee of the Corporation in any manner, directly or indirectly, shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly interested. Personal interests of officers, etc.

"(f) The powers granted to the Corporation by this section 4 shall terminate at the close of business on June 30, 1954, but the termination of such powers shall not be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this Act prior to the close of business on such date, or (2) to affect the validity or performance of any other agreement made or entered into pursuant to law. Termination of powers.

"(g) As used in this Act, the term 'State' includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands." "State."

SEC. 5. Effective as of midnight June 30, 1947, the first sentence of section 8 of the Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows: "The Corporation, including its franchise, capital, reserves and surplus, and its income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to special assessments for local improvements and shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed." 61 Stat. 205. 15 U. S. C., Supp. I, § 607. Exemption from taxation.

SEC. 6. Subsection (m) of section 206 of title II of the joint resolution entitled "Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation", approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows: 61 Stat. 208.

"(m) The first section and sections 2, 3, 9, 11, and 13 of the Act approved January 31, 1935 (49 Stat. 1), as amended;". 15 U. S. C. §§ 603a, 604b, 605m, 713b, 605*l*, 607a; Supp. I, §§ 603a, 713b, 605*l*, 607a.

SEC. 7. Section 208 of title II of the joint resolution entitled "Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation", approved June 30, 1947 (Public Law 132, Eightieth Congress), is hereby repealed. 61 Stat. 209. 15 U. S. C., Supp. I, § 618.

SEC. 8. Section 209 of title II of the joint resolution entitled "Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation", approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows: 61 Stat. 209. 15 U. S. C., Supp. I, § 601 note.

"SEC. 209. During the period between June 30, 1948, and the date of enactment of legislation making funds available for administrative expenses for the fiscal year ending June 30, 1949, the Corporation is authorized to incur, and pay out of its general funds, administrative expenses in accordance with laws in effect on June 30, 1948, such obligations and expenditures to be charged against funds when made available for administrative expenses for the fiscal year 1949." Administrative expenses.

SEC. 9. The third paragraph of section 24 of the Federal Reserve Act, as amended by section 328 of the Banking Act of 1935, as amended, is hereby amended to read as follows: 38 Stat. 273; 49 Stat. 717. 12 U. S. C. § 371.

"Loans made to established industrial or commercial businesses (a) which are in whole or in part discounted or purchased or loaned against as security by a Federal Reserve bank under the provisions of section 13b of this Act, (b) for any part of which a commitment shall have been made by a Federal Reserve bank under the provisions of said section, (c) in the making of which a Federal Reserve bank participates under the provisions of said section, or (d) in which the Reconstruction Finance Corporation cooperates or purchases a participation Loans to industrial or commercial businesses. 48 Stat. 1105. 12 U. S. C. § 352a.

under the provisions of the Reconstruction Finance Corporation Act, as amended, shall not be subject to the restrictions or limitations of this section upon loans secured by real estate."

Approved May 25, 1948.

[CHAPTER 335]

AN ACT

May 25, 1948
[S. 1571]
[Public Law 549]

To promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes.

National Advisory Committee for Aeronautics.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eighth paragraph following the caption "Pay, miscellaneous" in the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes", approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 241), as amended, is hereby amended to read as follows:

50 U. S. C. § 151.

"NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

"(a) There is hereby established a National Advisory Committee for Aeronautics (hereinafter referred to as the 'Committee') to be composed of not more than seventeen members appointed by the President. Members shall serve as such without compensation, and shall include two representatives of the Department of the Air Force; two representatives of the Department of the Navy, from the office in charge of naval aeronautics; two representatives of the Civil Aeronautics Authority; one representative of the Smithsonian Institution; one representative of the United States Weather Bureau; one representative of the National Bureau of Standards; the chairman of the Research and Development Board of the National Military Establishment; and not more than seven other members selected from persons acquainted with the needs of aeronautical science, either civil or military, or skilled in aeronautical engineering or its allied sciences. Unless otherwise provided by law, each member not representing a government department or agency shall be appointed for a term of five years from the date of the expiration of the term of the member whom he succeeds, except that any member appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed for the unexpired term of the member whom he succeeds.

Membership.

Term of office.

"(b) Under such rules and regulations as shall be formulated by the Committee, with the approval of the President, for the conduct of its work, it shall be the duty of the Committee (1) to supervise and direct the scientific study of the problems of flight with a view to their practical solution, (2) to determine the problems which should be experimentally attacked, and to discuss their solution and their application to practical questions, and (3) to direct and conduct research and experiment in aeronautics in the Langley Aeronautical Laboratory, the Ames Aeronautical Laboratory, the Flight Propulsion Research Laboratory, and in such other laboratory or laboratories as may, in whole or in part, be placed under the direction of the Committee.

Duties.

"(c) An annual report to the Congress shall be submitted by the Committee through the President, including an itemized statement of expenditures."

Report to Congress.

SEC. 2. Each member of the National Advisory Committee for Aeronautics not representing a government department or agency who may be appointed initially to fill any vacancy created by the increase in the membership of the Committee authorized by the amendment

Appointment to fill vacancy.

made by the first section of this Act shall serve under such appointment for a term expiring December 1, 1950.

Repeals.

SEC. 3. The following parts of Acts are hereby repealed:

(a) That portion of the ninth paragraph following the caption "Pay, miscellaneous", in the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes", approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 243), which reads as follows: ": *Provided*, That an annual report to the Congress shall be submitted through the President, including an itemized statement of expenditures".

50 U. S. C. § 153.

(b) That portion of the paragraph following the caption "National Advisory Committee for Aeronautics", in the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes", approved July 1, 1918 (40 Stat. 650; U. S. C., title 49, sec. 242), which reads as follows: ": *Provided*, That the Secretary of War is authorized and directed to furnish office space to the National Advisory Committee for Aeronautics in governmental buildings occupied by the Signal Corps".

50 U. S. C. § 152.

(c) That portion of the first paragraph following the caption "National Advisory Committee for Aeronautics", in the Act entitled "An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes", approved April 22, 1926 (44 Stat. 314; U. S. C., title 49, sec. 244), which reads as follows: ", hereafter to be known as the Langley Memorial Aeronautical Laboratory".

50 U. S. C. § 155.

Approved May 25, 1948.

[CHAPTER 336]

AN ACT

To amend the General Bridge Act of 1946.

May 25, 1948
[S. 1651]
[Public Law 550]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Bridge Act of 1946 be, and the same is hereby, amended by striking out section 506 thereof and by inserting in lieu of said section a new section to be designated as section 506 and to read as follows:

60 Stat. 848.
33 U. S. C. § 529.

Sinking fund.

"SEC. 506. If tolls are charged for the use of an interstate bridge constructed or taken over or acquired by a State or States or by any municipality or other political subdivision or public agency thereof, under the provisions of this title, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the date of completing or acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested."

Approved May 25, 1948.

[CHAPTER 337]

AN ACT

May 25, 1948
[S. 2233]
[Public Law 551]

To authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, California.

East Bay Municipal Utility District, Calif.
Water-pipe lines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to grant and convey to the East Bay Municipal Utility District, an agency of the State of California, without cost to the said utility district, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, operation, renewal, replacement, and repair of a water-pipe line or lines within a strip of land ten feet wide extending a distance of seven hundred and thirty-nine and ninety-one one-hundredths feet along the eastern boundary of lands comprising a part of the United States naval air station, Alameda, California, contiguous to Webster Street, metes and bounds description of which is on file in the Navy Department.

Approved May 25, 1948.

[CHAPTER 338]

AN ACT

May 25, 1948
[H. R. 1878]
[Public Law 552]

To amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States.

Exclusion of certain aliens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (a) of the Act of October 16, 1918, as amended (40 Stat. 1012; 41 Stat. 1008–9; 54 Stat. 673; 8 U. S. C., 137), is further amended by inserting the following clause immediately after the clause "Aliens who are anarchists;": "or aliens who the Attorney General knows or has reason to believe seek to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States".

Approved May 25, 1948.

[CHAPTER 339]

AN ACT

May 25, 1948
[H. R. 4966]
[Public Law 553]

Directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nevada.

Boulder City, Nev.
Sale of certain housing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to sell each house, including furniture, fixtures, and appurtenances, acquired from the Defense Homes Corporation and situated on land in Boulder City, Nevada, to the lessee occupant thereof, if such occupant desires to purchase the house and to lease the land upon which it is situated, and is (1) an employee of an agency of the Department of the Interior who occupied a house on July 1, 1947, and occupies one at the time of sale or (2) is a person regularly employed or conducting a business or profession in Boulder City, Nevada, who occupied a Defense Homes Corporation housing unit or house prior to April 1, 1947, and occupies a house at the time of sale. The offer of sale to any such occupant shall be made within one hundred and eighty days

after enactment of this Act and the sale shall be completed within a reasonable time after such offer. The sale price shall not exceed the amount at which the house was carried on the books of the Defense Homes Corporation at the date of transfer to the Secretary. The sale contract and documents of title shall contain (1) a provision prohibiting resale within three years at a price exceeding the price paid the Secretary and (2) a provision prohibiting resale on any terms during such period unless resale on such terms shall first have been offered to, and refused by, the Secretary. The Secretary is authorized and directed to lease the lot on which each house so sold is situated to the purchaser of such house in accordance with the provisions set out under the heading "Boulder Canyon Project" in the Interior Department Appropriation Act, 1941 (54 Stat. 406, 437).

Sale price.

Sale contract and documents of title.

43 U. S. C. § 617u.

The Secretary is authorized to repossess the houses now occupied by persons who are ineligible to purchase under the provisions of this Act, and to lease all apartments acquired from Defense Homes Corporation and all houses so acquired and not sold pursuant to this Act, together with the lands upon which situated, upon such terms and conditions as he may see fit in accordance with existing law.

Repossession of houses; leases.

All proceeds from the sale and lease of houses and apartments by the Secretary pursuant to this Act shall be deposited in the Treasury and credited to the Colorado River Dam fund established by section 2 of the Boulder Canyon Project Act (45 Stat. 1057).

Proceeds.

43 U. S. C. § 617a.

Approved May 25, 1948.

[CHAPTER 340]

AN ACT

To provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes.

May 25, 1948
[H. R. 5669]
[Public Law 554]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the repayment to the United States of all reimbursable costs heretofore or hereafter incurred for the construction of the irrigation and power systems of the Flathead Indian irrigation project in Montana (hereinafter called the project), including such operation and maintenance costs as have been covered into construction costs under the Act of March 7, 1928 (45 Stat. 200, 212–213), and supplemental Acts, and including the unpaid operation and maintenance costs for the irrigation seasons of 1926 and 1927 which are hereby covered into construction costs, shall be accomplished as prescribed by this Act, notwithstanding any provision of law to the contrary.

Flathead Indian irrigation project, Mont.
Adjustment of irrigation charges.

SEC. 2. (a) All costs heretofore or hereafter incurred for the construction of the irrigation system shall be allocated to the Mission Valley, Camas, and Jocko divisions of the project in proportion to the amount of such costs incurred for the respective benefit of each of these divisions.

Allocation of costs.

(b) The net revenues heretofore and hereafter accumulated from the power system shall be determined by deducting from the gross revenues the expenses of operating and maintaining the power system, and the funds necessary to provide for the creation and maintenance of appropriate reserves in accordance with section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U. S. C., sec. 725s–3).

Net revenues from power system.

(c) The deferred obligation established by the Act of May 10, 1926 (44 Stat. 453, 464–466), for repayment of the per acre costs of the Camas division in excess of the per acre costs of the Mission Valley division shall be determined on the basis of the costs heretofore incurred for the construction of those divisions, and shall be liquidated

Deferred obligation.

from the net revenues heretofore accumulated from the power system.

Reduction of reimbursable costs.

(d) The remainder of the net revenues heretofore accumulated from the power system shall be applied to reduce the reimbursable costs heretofore incurred for the construction of the power system, and the reimbursable costs heretofore incurred for the construction of the irrigation system (exclusive of the deferred obligation for the excess costs of the Camas division) as allocated among the several divisions pursuant to subsection (a) of this section, in proportion to the respective amounts of each of the foregoing categories of costs.

Reimbursable costs of irrigation system.

(e) The reimbursable costs heretofore incurred for the construction of the irrigation system of each division of the project and not repaid through the credits provided for in subsections (c) and (d) of this subsection shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period of fifty years from January 1, 1950. The reimbursable costs hereafter incurred for the construction of the irrigation system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be distributed over all irrigable lands within the division on an equal per acre basis, and the costs so charged against any parcel of lands within the division shall constitute a first lien thereon under the Act of May 10, 1926 (44 Stat. 453, 464–466). Upon the maturity or prepayment of any annual installment, the amount of the installment shall be reduced by deducting any sums included therein which are chargeable to lands on which the collection of construction costs is then deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a), or which are chargeable to other lands and have been already repaid to the United States.

Annual installments.

Reimbursable costs of power system.

(f) The reimbursable costs heretofore incurred for the construction of the power system and not repaid through the credits provided for in subsections (c) and (d) of this subsection, or through other credits from the revenues of the power system, shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period not exceeding the remaining useful life of the power system as a whole, or not exceeding fifty years from January 1, 1950, whichever period is the lesser. The reimbursable costs hereafter incurred for the construction of the power system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be repaid to the United States solely out of the revenues from the power system.

Annual installments.

Sale of electric energy.

(g) Electric energy available for sale through the power system shall be sold at the lowest rates which, in the judgment of the Secretary of the Interior, will produce net revenues sufficient to liquidate the annual installments of the power system construction costs established pursuant to subsection (f) of this section, and (for the purpose of reducing the irrigation system construction costs chargeable against the lands embraced within the project and of insuring the carrying out of the intent and purpose of legislation and repayment contracts

applicable to the project) to yield a reasonable return on the unliquidated portion of the power system construction costs, and (for the same purpose) to yield such additional sums as will cover the amount by which the wholesale value of the electric energy sold exceeds the cost thereof where such excess is the result of the electric energy having been obtained on a special basis in return for water rights or other grants.

Net revenues from power system.

(h) All net revenues hereafter accumulated from the power system shall be applied annually to the following purposes, in the following order of priority:

(1) To liquidate all matured installments of the schedule of repayments for construction costs of the power system;

(2) To liquidate all matured installments of the schedule of repayments for construction costs of the irrigation system of each division, on an equal per acre basis for all irrigable lands within the division;

(3) To liquidate unmatured installments of the schedule of repayments for construction costs of the power system which will mature at a date not later than the maturity of any unliquidated installment of irrigation system construction costs;

(4) To liquidate unmatured installments of the schedule of repayments for construction costs of the irrigation system of each division which will mature at a date prior to the maturity of any unliquidated installment of power system construction costs, on an equal per acre basis for all irrigable lands within the division;

(5) To liquidate construction costs chargeable against Indian-owned lands the collection of which is deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a); and

(6) To liquidate the annual operation and maintenance costs of the irrigation system.

Allowance for construction costs.

(i) In applying net revenues from the power system to the annual installments of irrigation system construction costs for any division of the project under the preceding subsection, allowance shall be made for any construction costs deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a), or already repaid to the United States which have been deducted from such installments under subsection (e) of this section, by distributing the net revenues available for such application over all irrigable lands within the division on an equal per acre basis, and by applying the net revenues distributed to the lands chargeable with the construction costs that have been so deferred or repaid, in amounts proportionate to the deductions made on account of such costs, to any then unpaid or subsequently assessed costs of operating and maintaining the irrigation system which are chargeable against the same lands.

Assessment against lands.

(j) Any matured installment of irrigation system construction costs, or portion thereof, which is not liquidated at or before its maturity through the application thereto of net revenues from the power system under subsection (h) of this section shall be repaid to the United States by an assessment against the lands chargeable with the construction costs included in the installment. Such repayment shall be deferred for any period of time that may be requisite to provide for the assessment and collection of such costs in conformity with the laws of the State of Montana, but shall be completed within two years after the maturity of the installment concerned.

Supplemental contracts.

SEC. 3. The repayment adjustments provided for in sections 1 and 2 of this Act shall not become effective unless, within two years after the approval of this Act, the irrigation districts embracing lands within the project not covered by trust or restricted patents have entered into contracts satisfactory to the Secretary of the Interior, whereby such districts (1) obligate themselves for the repayment of

the construction costs chargeable against all irrigable lands embraced within the districts contracting (exclusive of Indian-owned lands on which the collection of construction costs is deferred) to the extent and in the manner prescribed by sections 1 and 2 of this Act; (2) consent to such revisions in the limits of cost for the project, or any division thereof, as the Secretary and the districts contracting may mutually agree upon in order to facilitate the making of needed improvements and extensions to the irrigation and power systems; (3) provide for redetermination by the Secretary of the irrigable area of the project, or any division thereof, and for the exclusion of lands from the project, with the consent of the holder of any water rights that would be canceled by such exclusion; and (4) make such other changes in the existing repayment contracts as the Secretary and the districts contracting may mutually agree upon for accomplishment of the purposes of this Act. In order to facilitate the commencement of repayment at the earliest practicable time, such contracts may provide for adjusting the maturity dates or amounts of the annual installments in a manner which will ultimately place the repayment schedules on substantially the same basis as though such contracts had been entered into prior to their actual execution, but not earlier than January 1, 1949.

Cancellation of certain unpaid charges.

SEC. 4. Unpaid charges for operation and maintenance of the irrigation system which were assessed prior to May 10, 1926, against any lands within the project, amounting to a sum not exceeding $40,549.89, and unpaid charges due from consumers for electric energy sold through the power system between July 1, 1931, and June 30, 1942, amounting to a sum not exceeding $2,195.16, are hereby canceled. The cancellation of the operation and maintenance charges shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States, pursuant to the Act of April 14, 1910 (36 Stat. 269, 270; 25 U. S. C., sec. 145), as deductions from the total indebtedness of the project without regard to the fiscal years in which, or the appropriations from which, the expenditures were made.

Appropriations authorized.

SEC. 5. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the following sums, for the following purposes, to be reimbursed to the United States as hereinafter provided:

Confederated Salish and Kootenai Tribes.

(a) The sum of $64,161.18, with interest thereon at the rate of 4 per centum per annum from May 18, 1916, and the sum of $409.38, with interest thereon at the same rate from December 1, 1925, to be used to repay the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana the balance remaining due them under the Act of May 18, 1916 (39 Stat. 123, 141). The aggregate principal amount of $64,570.56 so repaid shall be added to the construction costs of the project and shall be reimbursable.

(b) The sum of $400,000 to be deposited in the United States Treasury to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana; of which sum one-half shall be in full settlement of all claims of said tribes on account of the past use of tribal lands for the physical works and facilities of the irrigation and power systems of the project, or for wildlife refuges; and the other one-half shall be in full payment to said tribes for a permanent easement to the United States, its grantees and assigns, for the continuation of any and all of the foregoing uses, whether heretofore or hereafter initiated, upon the tribal lands now used or reserved for the foregoing purposes. The said tribes shall have the right to use such tribal lands, and to grant leases or concessions thereon, for any and all purposes not inconsistent with such permanent easement. The amount deposited in the Treasury pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable.

(c) The sum of $1,000,000 to continue the construction of the irrigation and power systems of the project. Amounts expended pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable. Construction.

(d) No expenditure shall be made from any appropriation granted under the authorizations contained in this section until the repayment of all reimbursable construction costs incurred through such expenditure has been secured by contracts conforming to the requirements of section 3 of this Act. Restriction.

SEC. 6. In each fiscal year commencing after the approval of this Act for which an appropriation of the power revenues from the project is made in an indefinite amount pursuant to section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U. S. C., sec. 725s–3), the power revenues so appropriated shall be available, to the extent of not to exceed $75,000, for the purpose, in addition to those other purposes now required or permitted by law, of making such improvements and extensions to the power system as the Secretary of the Interior may deem requisite for the provision of electric service to persons whose applications for such service could not otherwise be complied with in due course of business. Amounts so expended shall be added to the unmatured portion of the reimbursable construction costs of the power system in accordance with subsection 2 (f) of this Act, so as not to reduce the net power revenues available for application under subsection 2 (h) of this Act. Availability of appropriations.

SEC. 7. Consistent with the terms of the repayment contracts heretofore or hereafter executed, the Secretary of the Interior is hereby authorized to issue such public notices fixing construction costs and apportioning construction charges, to enter into such contracts, to make such determinations, to effect such adjustments in project accounts, to prescribe such regulations, and to do such other acts and things as may be necessary or appropriate to accomplish the purposes of this Act. Issuance of public notices.

SEC. 8. All Acts or parts thereof inconsistent with the provisions of this Act are hereby repealed.

Approved May 25, 1948.

[CHAPTER 341]

AN ACT

Authorizing the execution of an amendatory repayment contract with the Northport Irrigation District, and for other purposes.

May 25, 1948
[H. R. 6067]
[Public Law 555]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon finding specifically that existing repayment contracts between the United States and the Northport Irrigation District cannot reasonably be carried out by the said district, is authorized to enter into such contracts as he shall determine appropriate to amend or modify the terms and provisions of such repayment contracts to accomplish the following general repayment plan: (a) Application annually of such net profits as are allocable to the district from the sources specified in subsections I and J of section 4 of the Act of December 5, 1924 (43 Stat. 703), to the extent necessary to meet the annual costs to the district for water carriage through the Farmers' Irrigation District Canal; with any net profits in excess of such annual carriage costs being applied in reduction of the district's total repayment contract construction charge obligation to the United States; (b) payment by the district to the United States of $3,500 as an annual construction charge installment: *Provided*, That in the event the annual net profits for application under (a) hereof are not Northport Irrigation District. Amendment of repayment contracts. 43 U. S. C. §§ 501, 526. Reduction of installment.

sufficient in any given year to meet that year's cost of water carriage through the Farmers' Irrigation District Canal, all or any part of the said $3,500 may be applied to pay the portion of the carriage charge not so met, and the construction charge installment for payment to the United States for that year shall be reduced accordingly: *Provided further*, That the proviso respecting application of net revenues from power plants connected with the North Platte Federal Reclamation project contained in the Act of March 3, 1925 (43 Stat. 1141, 1167), is hereby repealed.

Repeal.

Rules and regulations.

SEC. 2. The Secretary is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying out the provisions of this Act and any contracts made pursuant thereto.

Approved May 25, 1948.

[CHAPTER 348]

AN ACT

May 26, 1948
[S. 1979]
[Public Law 556]

Authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fish and Wildlife Service of the Department of the Interior is hereby authorized and directed to undertake, in cooperation with appropriate State and interstate agencies in accordance with the provisions of the Act of August 14, 1946 (60 Stat. 1080), comprehensive studies of the soft-shell clam, Mya arenaria, and the hard-shell clam, Venus mercenaria, with particular respect to the biology, propagation, and methods of cultivation of such clams. Such Service shall from time to time recommend appropriate measures for (1) arresting depletion in existing productive beds; (2) restoring to production beds formerly productive but now barren or unusable; (3) developing new areas which may be found suitable; (4) improving methods and techniques of digging, transplanting, and handling; and (5) otherwise increasing production and improving the quality of such clams for the benefit of both producers and consumers.

Fish and Wildlife Service.
Studies of clams.

16 U. S. C. §§ 661-666c.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, for the five-year period beginning July 1, 1948, out of any money in the Treasury not otherwise appropriated, the sum of $250,000 to carry out the studies of the soft-shell clam and the sum of $250,000 to carry out the studies of the hard-shell clam.

Approved May 26, 1948.

[CHAPTER 349]

AN ACT

May 26, 1948
[H. R. 5298]
[Public Law 557]

To establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Civil Air Patrol be established as a volunteer civilian auxiliary of the United States Air Force; and that, to assist Civil Air Patrol in the fulfillment of its objectives as set out in section 2 of Act of July 1, 1946 (Public Law 476, Seventy-ninth Congress), the Secretary of the Air Force is hereby authorized, to the extent and under such conditions and regulations as he may prescribe—

Civil Air Patrol.
Establishment as volunteer civilian auxiliary.

60 Stat. 346.
36 U. S. C. § 202.

(a) to make available to Civil Air Patrol by gift or by loan, sale or otherwise, with or without charge therefor, obsolete or

surplus aircraft, aircraft parts, matériel, supplies, and equipment of the Air Force Establishment;

(b) to permit utilization of such facilities of the Air Force Establishment as, in the opinion of the Secretary of the Air Force, are required by Civil Air Patrol to carry out its mission;

(c) to furnish to Civil Air Patrol such quantities of gasoline and oil as may be required by it for the purpose of carrying out any specifically assigned mission;

(d) to establish, maintain, supply, and equip liaison offices of the United States Air Force at the National and State headquarters of Civil Air Patrol, and to detail and assign military and civilian personnel of the Air Force Establishment to such liaison offices;

(e) to detail military and civilian personnel of the Air Force Establishment to units and installations of Civil Air Patrol to assist in the training program of Civil Air Patrol.

SEC. 2. The Secretary of the Air Force is authorized in the fulfillment of the noncombatant mission of the Air Force Establishment to accept and utilize the services of Civil Air Patrol.

Approved May 26, 1948.

[CHAPTER 350]

JOINT RESOLUTION

Requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

May 28, 1948
[S. J. Res. 217]
[Public Law 558]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Memorial Day, 1948, by praying, each in accordance with his religious faith, for permanent peace; designating a period during such day in which all the people of the United States may unite in prayer for a permanent peace, calling upon all the people of the United States to unite in prayer at such time; and calling upon the newspapers, radio stations, and all other mediums of information to join in observing such day and period of prayer.

Memorial Day, 1948.
13 F. R. 2907.
62 Stat., Pt. 2.

Approved May 28, 1948.

[CHAPTER 351]

AN ACT

To amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes.

May 28, 1948
[S. 1305]
[Public Law 559]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 24 of the Federal Power Act, as amended, is amended by inserting before the period at the end of the first proviso thereof a colon and the following new proviso: "*Provided further*, That before any lands applied for, or heretofore or hereafter reserved, or classified as power sites, are declared open to location, entry, or selection by the Secretary of the Interior, notice of intention to make such declaration shall be given to the Governor of the State within which such lands are located, and such State shall have ninety days from the date of such notice within which to file, under any statute or regulation applicable thereto, an application for the reservation to the State, or any political subdivision thereof, of any lands required as a right-of-way for a public highway or as a source of materials for the construction and

Federal Power Act, amendment.
41 Stat. 1075.
16 U. S. C. § 818.

Power sites.

Application by State.

maintenance of such highways, and a copy of such application shall be filed with the Federal Power Commission; and any location, entry, or selection of such lands, or subsequent patent thereof, shall be subject to any rights granted the State pursuant to such application".

Approved May 28, 1948.

[CHAPTER 352]

AN ACT

May 28, 1948
[S. 1525]
[Public Law 560]

To provide for furnishing transportation for certain Government and other personnel, and for other purposes.

Transportation of certain personnel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall determine that the effective conduct of the affairs of his department requires assured and adequate transportation facilities to and from their places of employment for personnel attached to or employed by such department, including, during any period of war or national emergency declared by the Congress or the President, personnel attached to or employed by private plants engaged in the manufacture of material for such departments, he is hereby authorized in the absence of adequate private or other facilities to provide such transportation, by motor vehicle or water carrier, subject, however, to the following provisions and conditions:

Acquisition of equipment.

1. The equipment required to provide such transportation facilities may be either purchased, leased, or chartered for operation by the Department of the Army, the Department of the Navy, or the Department of the Air Force, and when so obtained may be maintained and operated either by enlisted personnel, civil employees of the Department of the Army, the Department of the Navy, or the Department of the Air Force or by private personnel under contract with such departments. Equipment so obtained may also be leased or chartered to private or public carriers for operation under such terms and conditions as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, shall determine necessary and advisable under the existing circumstances: *Provided*, That any equipment purchased, leased, or operated by authority of this Act shall have a seating capacity of twelve or more passengers.

Lease or charter to private or public carriers.

Rates of fare.

2. That in each case where transportation facilities are provided hereunder, reasonable rates of fare for the service furnished shall be established and charged under such regulations as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall prescribe; the receipts from such fares, and the proceeds from the leasing or chartering of any equipment as provided in the foregoing paragraph, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Restriction on use.

3. The facilities and service authorized hereunder shall be utilized only for the transportation of personnel heretofore enumerated and for the purpose heretofore stated, under such rules and regulations as may be prescribed by authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force: *Provided, however*, That where the equipment and facilities herein provided for are pooled under lease or charter agreements, the reciprocal use of Government-owned and private-owned equipment shall be deemed to be within the intent of this paragraph.

Exercise of authority.

4. The authority herein granted the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall be

exercised in each case only after a determination by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, as the case may be, that existing private and other facilities are not and cannot be rendered adequate by other means, that reasonable effort has been made to induce operators of private facilities to provide the necessary service, and that its exercise will result in the most efficient method of supplying transportation to the personnel concerned and a proper utilization of transportation facilities.

Reports to Congress.

SEC. 2. It shall be the duty of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, to file with the Congress, within sixty days after the end of the fiscal year a summarized report of the exercise of the authority herein granted, which report shall include (1) location, nature, and size of the activity for which transportation facilities were provided; (2) type, amount, and original cost of equipment furnished; (3) outline of lease or charter for rented or reciprocally used equipment with total costs for period of use or operation; (4) citation of authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force under which exercised; and (5) for each activity for which transportation facilities were provided, the maximum number of motor vehicles or water carriers used, the total miles operated, the total revenue from fares or proceeds from the leasing or chartering of equipment, the operating and maintenance expense, depreciation, gross cost, and net cost.

Repeal.

SEC. 3. The Act entitled "An Act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes", approved December 1, 1942 (56 Stat. 1024), as amended by subsections (a) and (b) of section 1 of the Act of April 9, 1946 (60 Stat. 86), is hereby repealed.

50 U. S. C. app. §§ 841, 842.

Approved May 28, 1948.

[CHAPTER 353]

AN ACT

May 28, 1948
[S. 1874]
[Public Law 561]

Authorizing the head of the department or agency using the public domain for national defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national defense purposes.

Use of public domain for national defense purposes.
43 U. S. C., Supp. I, § 315q note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 9, 1942 (56 Stat. 654, 43 U. S. C., sec. 315q), is amended by inserting the words "or national defense" between the word "war" and the word "purposes" wherever the latter two words appear in that Act.

SEC. 2. This amendment is to take effect as of July 25, 1947.

Approved May 28, 1948.

[CHAPTER 354]

AN ACT

May 28, 1948
[H. R. 3510]
[Public Law 562]

To authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska.

Alaska.
Public airports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") is hereby authorized and directed to construct, protect,

operate, improve, and maintain within the Territory of Alaska a public airport at or near Anchorage and a public airport at or near Fairbanks (including all buildings and other structures necessary or desirable therefor) adequate for the needs of the air-transportation services and air commerce of the United States serving the Territory of Alaska and foreign countries by way of points within the Territory of Alaska.

Acquisition of land.

SEC. 2. For the purpose of carrying out this Act the Administrator is authorized to acquire by purchase, lease, condemnation, or otherwise (including transfer with or without compensation from Federal agencies or the Territory of Alaska or any political subdivision thereof), such lands and appurtenances thereto as may be necessary or desirable for the construction, protection, maintenance, improvement, and operation of said airports.

Rights-of-way.

SEC. 3. For the purpose of this Act the Administrator is empowered to acquire by purchase, lease, condemnation, or otherwise (including transfer with or without compensation from Federal agencies or the Territory of Alaska or any political subdivision thereof), rights-of-way or easements for roads, trails, pipe lines, power lines, railroad spurs, and other similar facilities necessary or desirable for the proper operation of the airports.

Highways and bridges.

The Administrator is authorized to construct any public highways or bridges from the cities of Anchorage and Fairbanks to whatever airport locations may be selected. Upon completion said highways and bridges shall be transferred to the Territory of Alaska without charge and thereafter be maintained by the Territory.

Maintenance, etc., of airports.

SEC. 4. The Administrator shall have control over and responsibility for the care, operation, maintenance, improvement, and protection of the airports, together with the power to make and amend such rules and regulations as he may deem necessary to the proper exercise thereof: *Provided*, That the authority herein contained may be delegated by the Administrator to such official or officials of the Civil Aeronautics Administration within the Territory of Alaska as the Administrator may designate.

Lease of property within airport.

SEC. 5. The Administrator is empowered to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed ten years) space or property within or upon the airports for purposes essential or appropriate to the operation of the airports.

Contracts for fuel, food, etc.

SEC. 6. The Administrator is authorized to contract with any person for the performance of services at or upon the airports necessary or desirable for the proper operation of the airports, including but not limited to, contracts for furnishing food and lodging, sale of aviation fuels, furnishing of aircraft repairs and other aeronautical services, and such other services as may be necessary or desirable for the traveling public. No such contract shall extend for a period of longer than ten years and the provisions of section 3709 of the Revised Statutes shall not apply to such contracts or the leases authorized under section 5 hereof.

41 U. S. C. § 5.

Transfer of property from other Government agencies.

SEC. 7. Any executive department, independent establishment, or agency of the Federal Government or the Territory of Alaska, for the purposes of carrying out this Act, is authorized to transfer to the Administrator, upon his request, any lands, buildings, property, or equipment under its control and in excess of its own requirements which the Administrator may consider necessary or desirable for the construction, care, operation, maintenance, improvement, or protection of the airports.

Violations; penalty.

SEC. 8. Any person who knowingly and willfully violates any rul regulation, or order issued by the Administrator under this Act sha be deemed guilty of a misdemeanor and upon conviction thereof sha

be subject to a fine of not more than $500 or to imprisonment not exceeding six months, or to both such fine and imprisonment.

SEC. 9. Unless the context otherwise requires, the definitions of the words and phrases used in this Act shall be the definitions assigned to such words and phrases by the Civil Aeronautics Act of 1938, as amended.

52 Stat. 977.
49 U. S. C. § 401.
Post, p. 493.

SEC. 10. There is hereby authorized to be appropriated the sum of $13,000,000 for the purpose of carrying out the provisions of this Act, said appropriation to remain available until expended. There are hereby authorized to be appropriated from year to year such sums as may be necessary for the proper maintenance, improvement, protection, control, and operation of said airports or as may be otherwise necessary to carry out the purposes of this Act.

Appropriation authorized.
Post, p. 1039.

Approved May 28, 1948.

[CHAPTER 356]

AN ACT

To amend the Act entitled "An Act to promote the mining of potash on the public domain", approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the Act entitled "An Act to authorize exploration for and disposition of potassium", approved October 2, 1917.

June 1, 1948
[S. 1050]
[Public Law 563]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to promote the mining of potash on the public domain", approved February 7, 1927, is amended by adding at the end thereof the following new sentence:

Potash mining.
44 Stat. 1058.
30 U. S. C. § 286 note.

"All money received from royalties and rentals from any lease issued or renewed under the provisions of the Act entitled 'An Act to authorize exploration for and disposition of potassium', approved October 2, 1917, shall be paid into, reserved, and appropriated as follows: 52½ per centum to the Reclamation Fund, 10 per centum to the Treasury of the United States as miscellaneous receipts, and 37½ per centum shall be paid by the Secretary of the Treasury, after the expiration of each fiscal year, to the State within the boundaries of which the leased lands or deposits are or were located, such money to be used by such State or subdivision thereof for the construction and maintenance of public roads or for the support of schools or other public educational institutions, as the legislature of the State may direct."

Royalties and rentals.
40 Stat. 297.
30 U. S. C. §§ 141-152.

Approved June 1, 1948.

[CHAPTER 357]

AN ACT

To amend the Acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians.

June 1, 1948
[S. 1723]
[Public Law 564]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first and second sentences of the Act of July 14, 1941 (Public Law 168, Seventy-seventh Congress, first session; 55 Stat. 589), is amended by inserting in the first sentence after the phrase "(other than the United States)" the words "and Canada" and by inserting in the second sentence after the words "of such Republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

U. S. Naval and Military Academies.
Instruction for Canadians.
34 U. S. C. § 1036-1.

"That the Secretary of the Navy is hereby authorized to permit,

upon designation of the President of the United States, not exceeding twenty persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Naval Academy at Annapolis, Maryland. Not more than three persons from any of such Republics and Canada shall receive instruction under authority of this Act at the same time."

SEC. 2. The first and second sentences of section 1 of the Act of June 26, 1946 (Public Law 447, Seventy-ninth Congress, second session; 60 Stat. 311), is amended by inserting in the first sentence after the phrase "(other than the United States)" the words "and Canada" and by inserting in the second sentence after the words "of such republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

10 U. S. C. § 1093c.

"That the Secretary of the Army is hereby authorized to permit, upon designation of the President of the United States, not exceeding twenty persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Military Academy at West Point, New York. Not more than three persons from any one of such republics and Canada shall receive instruction under authority of this Act at the same time."

Approved June 1, 1948.

[CHAPTER 358]

June 1, 1948
[S. 2077]
[Public Law 565]

AN ACT

To authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebraska.

Kearney, Nebr.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized to convey approximately seventeen acres of land and improvements thereon owned by the United States in Buffalo County, Nebraska, lying in the south half southeast quarter section 27, township 9 north, range 15 west of the sixth principal meridian, and the Government-owned improvements located on land leased from the city of Kearney, Nebraska, in said section 27 constructed by the Army for an automotive equipment repair shop, to the city of Kearney, Nebraska, in exchange for approximately four hundred and forty-two and seventy-four one-hundredths acres of land in Buffalo County, Nebraska, described as a tract of land situated in section 27, township 9 north, range 15 west, more particularly described as follows: Beginning at the northeast corner of section 27; thence south along the east section line two thousand eight hundred and thirty-five feet, more or less; thence in a westerly direction one thousand six hundred and seventy-five feet, more or less; thence in a southwesterly direction one thousand two hundred and eighty-five feet, more or less; thence south parallel to the east line of section 27 eight hundred and seventy-five feet, more or less; thence west and parallel to the south line of section 27 two thousand five hundred and seventy feet, more or less; thence north along the west line of section 27 four thousand four hundred and sixty feet, more or less, to the northwest corner of section 27; thence east five thousand two hundred and eighty feet, more or less, along the north line of section 27 to place of beginning, which is to be conveyed to the United States by the city of Kearney, Nebraska, as a part of the Kearney Army Air Field, Nebraska.

Approved June 1, 1948.

[CHAPTER 359]

AN ACT

June 1, 1948
[H. R. 3219]
[Public Law 566]

To authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him may appoint uniformed guards of said Agency as special policemen without additional compensation for duty in connection with the policing of public buildings and other areas under the jurisdiction of the Federal Works Agency. Such special policemen shall have the same powers as sheriffs and constables upon such Federal property to enforce the laws enacted for the protection of persons and property, and to prevent breaches of the peace, to suppress affrays or unlawful assemblies, and to enforce any rules and regulations made and promulgated by the Administrator or such duly authorized officials of the Federal Works Agency for the property under their jurisdiction: *Provided*, That the jurisdiction and policing powers of such special policemen shall not extend to the service of civil process and shall be restricted to Federal property over which the United States has acquired exclusive or concurrent criminal jurisdiction.

Special policemen. Duty on Federal property.

Powers.

Limitation on powers.

SEC. 2. The Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are hereby authorized to make all needful rules and regulations for the government of the Federal property under their charge and control, and to annex to such rules and regulations such reasonable penalties, within the limits prescribed in section 4 of this Act, as will insure their enforcement: *Provided*, That such rules and regulations shall be posted and kept posted in a conspicuous place on such Federal property.

Rules and regulations.

Posting of rules.

SEC. 3. Upon the application of the head of any department or agency of the United States having property of the United States under its administration and control and over which the United States has acquired exclusive or concurrent criminal jurisdiction, the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are authorized to detail any such special policemen for the protection of such property and if he deems it desirable, to extend to such property the applicability of any such regulations and to enforce the same as herein set forth; and the Federal Works Administrator or official of the Federal Works Agency duly authorized by him, whenever it is deemed economical and in the public interest, may utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, the facilities and services of such State or local law-enforcement agencies.

Details.

SEC. 4. Whoever shall violate any rule or regulation promulgated pursuant to section 2 of this Act shall be fined not more $50 or imprisoned not more than thirty days, or both.

Penalty.

Approved June 1, 1948.

[CHAPTER 360]

AN ACT

June 1, 1948
[H. R. 5193]
[Public Law 567]

To amend the Nationality Act of 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Nationality

8 U. S. C., Supp. I, § 601 *et seq.*

Act of 1940, as amended (54 Stat. 1137; 8 U. S. C. 907), be amended by adding a new section to be known as section 324A, as follows:

Naturalization of persons who served in armed forces.

"SEC. 324A. (a) Any person not a citizen who has served honorably in an active-duty status in the military or naval forces of the United States during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946, or who, if separated from such service, was separated under honorable conditions, may be naturalized as provided in this section if (1) at the time of enlistment or induction such person shall have been in the United States or an outlying possession (including the Panama Canal Zone, but excluding the Philippine Islands), or (2) at any time subsequent to enlistment or induction such person shall have been lawfully admitted to the United States for permanent residence. The executive department under which such person served shall determine whether persons have served honorably in an active-duty status, and whether separation from such service was under honorable conditions: *Provided, however*, That no person who is or has been separated from such service on account of alienage, or who was a conscientious objector who performed no military or naval duty whatever or refused to wear the uniform, shall be regarded as having served honorably or having been separated under honorable conditions for the purposes of this section.

Restriction.

Waiver of certain requirements.

"(b) A person filing a petition under subsection (a) of this section shall comply in all respect with the requirements of this chapter except that—

54 Stat. 1140, 1150. 8 U. S. C. §§ 703, 726.

"(1) he may be naturalized regardless of age, and notwithstanding the provisions of sections 303 and 326 of this Act;

"(2) no declaration of intention, no certificate of arrival, and no period of residence within the United States or any State shall be required;

"(3) the petition for naturalization may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner;

Affidavits of witnesses.

"(4) there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each such witness personally knows the petitioner to be a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States;

Proof of service in armed forces.

"(5) when serving in the military or naval forces of the United States, the service of the petitioner shall be proved either (1) by affidavits forming part of the petition, of at least two citizens of the United States, members of the military or naval forces of a noncommissioned or warrant officer grade, or higher (who may be the same witness described in clause (4) of this subsection), or (2) by a duly authenticated certification from the executive department under which the petitioner is serving. Such affidavits or certifications shall state whether the petitioner has served honorably in an active-duty status during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946;

"(6) if no longer serving in the military or naval forces of the United States, the service of the petitioner shall be proved by a duly authenticated certification from the executive department under which the petitioner served, which shall state whether the petitioner served honorably in an active-duty status during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946, and was separated from such service under honorable conditions; and

54 Stat. 1157. 8 U. S. C. § 734 (e).

"(7) notwithstanding section 334 (e) of this Act, the petitioner

may be naturalized immediately if prior to the filing of the petition the petitioner and the required witnesses shall have appeared before and been examined by a representative of the Service.

"(c) Citizenship granted pursuant to this section may be revoked in accordance with section 338 of this Act if at any time subsequent to naturalization the person is separated from the military or naval forces under other than honorable conditions, and such ground for revocation shall be in addition to any other provided by law. The fact that the naturalized person was separated from the service under other than honorable conditions shall be proved by a duly authenticated certification from the executive department under which the person was serving at the time of separation."

Revocation of citizenship.
54 Stat. 1158.
8 U. S. C. § 738.

SEC. 2. The eligibility for naturalization of any person who filed a petition for naturalization prior to January 1, 1947, under section 701 of the Nationality Act of 1940, as amended (8 U. S. C., Supp. V, sec. 1001), and which is still pending on the date of approval of this Act, shall be determined in accordance with section 324A of the Nationality Act of 1940, as added by section 1 of this Act.

Prior application.
56 Stat. 182.
8 U. S. C. § 1001.
Ante, p. 282.

Approved June 1, 1948.

[CHAPTER 362]

AN ACT

To transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska.

June 1, 1948
[H. R. 183]
[Public Law 568]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to lot 1 of block 115, Fairbanks, Alaska, be, and the same are hereby, released and relinquished by the United States to the city of Fairbanks, Alaska, for school purposes: *Provided*, That all mineral rights pertaining to such land are hereby reserved to the United States together with the right to prospect for, mine, and remove the same.

Fairbanks, Alaska.

Approved June 1, 1948.

[CHAPTER 363]

AN ACT

To amend the fourth paragraph of section 4, chapter 1, title I, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended.

June 1, 1948
[H. R. 3344]
[Public Law 569]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph of section 4, chapter 1, title I, of the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended, is amended to read as follows:

Alaska.
District Court division.
Post, p. 986.

"Division numbered 3 shall consist of all the territory lying south and west of the line starting on the coast of the Gulf of Alaska at the one hundred and forty-first meridian of west longitude; thence north along said meridian to a point due east of Mount Natazhat in latitude sixty-one degrees thirty-one minutes twenty seconds north; thence due west to Mount Natazhat; thence westerly and northwesterly along the divide between the White and the Tanana Rivers on the north and the Chitina River on the south to the junction with the divide between the Chisana and the Nabesna Rivers in latitude sixty-one degrees fifty-two minutes forty seconds north, longitude one hundred forty-two degrees thirty-two minutes forty seconds west; thence northerly

and northeasterly along the divide between the Chisana and the Nabesna Rivers to Mount Allen; thence northwesterly on a straight line crossing the Nabesna River approximately twenty-four miles to an unnamed peak in latitude sixty-two degrees thirty minutes forty seconds north, longitude one hundred and forty-two degrees forty-three minutes thirty seconds west; thence northerly and northwesterly along the divide between Cheslina and Tetling Rivers on the north and Totschunda and Platinum Creeks on the south, continuing northwesterly along the divide between the Tanana and the Copper Rivers to Mount Kimball; thence continuing southwesterly along the divide between the waters of the Kuskokwim River and Bay on the north and west and the Gulf of Alaska and Bristol Bay on the south to a westerly point of Cape Newenham; the said division to include the Alaska Peninsula, the Aleutian and Pribilof Islands, and all islands along and off the coast of this division, between Cape Newenham and the point where the one hundred and forty-first meridian, west longitude, intersects the northern line of the territory.

Effective date.

"This Act shall take effect sixty days after it has been approved by the President."

Approved June 1, 1948.

[CHAPTER 364]

AN ACT

June 1, 1948
[H. R. 5901]
[Public Law 570]

To provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund.

Boulder Canyon Project Adjustment Act, amendment.
54 Stat. 774.
54 Stat. 776.
43 U. S. C. § 618b.
Post, p. 1130.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (d) of the Boulder Canyon Project Adjustment Act (U. S. C., 1940 edition, title 43, sec. 618a (d)) is hereby amended to read as follows:

"(d) Transfer, subject to the provisions of section 3 hereof, from the Colorado River Dam Fund to a special fund in the Treasury, hereby established and designated the 'Colorado River Development Fund', of the sum of $500,000 for the year of operation ending May 31, 1938, and the like sum of $500,000 for each year of operation thereafter, until and including the year of operation ending May 31, 1987. The transfer of the said sum of $500,000 for each year of operation shall be made on or before July 31 next following the close of the year of operation for which it is made: *Provided*, That any such transfer for any year of operation which shall have ended at the time this section 2 (d) shall become effective shall be made, without interest, from revenues received in the Colorado River Dam Fund, as expeditiously as administration of this Act will permit, and without readvances from the general funds of the Treasury. Receipts of the Colorado River Development Fund for the years of operation ending in 1938, 1939, and 1940 (or in the event of reduced receipts during any of said years, due to adjustments under section 3 hereof, then the first receipts of said fund up to $1,500,000), are authorized to be appropriated only for the continuation and extension, under the direction of the Secretary, of studies and investigations by the Bureau of Reclamation for the formulation of a comprehensive plan for the utilization of waters of the Colorado River system for irrigation, electrical power, and other purposes, in the States of the upper division and the States of the lower division, including studies of quantity and quality of water and all other relevant factors. The next such receipts up to

Appropriation of receipts authorized.

and including the receipts for the year of operation ending in 1955 are authorized to be appropriated only for the investigation and construction of projects for such utilization in and equitably distributed among the four States of the upper division: *Provided, however*, That in view of distributions heretofore made, and in order to expedite the development and utilization of water projects within all of the States of the upper division, the distribution of such funds for use in the fiscal years 1949 to 1955, inclusive, shall be on a basis which is as nearly equal as practicable. Such receipts for the years of operation ending in 1956 to 1987, inclusive, are authorized to be appropriated for the investigation and construction of projects for such utilization in and equitably distributed among the States of the upper division and the States of the lower division. The terms 'Colorado River system', 'States of the upper division', and 'States of the lower division' as so used shall have the respective meanings defined in the Colorado River compact mentioned in the Project Act. Such projects shall be only such as are found by the Secretary to be physically feasible, economically justified, and consistent with such formulation of a comprehensive plan. Nothing in this Act shall be construed so as to prevent the authorization and construction of any such projects prior to the completion of said plan of comprehensive development; nor shall this Act be construed as affecting the right of any State to proceed independently of this Act or its provisions with the investigation or construction of any project or projects. Transfers under this section 2 (d) shall be deemed contractual obligations of the United States, subject to the provisions of section 3 of this Act."

Basis of distribution.

Terms defined.

45 Stat. 1057.
43 U. S. C. §§ 617-617t.

Contractual obligations of U. S.

54 Stat. 776.
43 U. S. C. § 618b.

SEC. 2. The availability of appropriations from the Colorado River Development Fund for the investigation and construction of projects in any of the States of the Colorado River Basin shall not be held to forbid the expenditure of other funds for those purposes in any of those States where such funds are otherwise available therefor.

Approved June 1, 1948.

[CHAPTER 365]

AN ACT

June 1, 1948
[H. R. 6302]
[Public Law 571]

To amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of section 27 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (U. S. C., 1946 edition, title 30, sec. 184), is hereby amended by striking out "within two years after the passage of this Act" and inserting in lieu thereof "on or before August 8, 1950".

41 Stat. 448.
Post, p. 291.

Approved June 1, 1948.

[CHAPTER 366]

JOINT RESOLUTION

June 1, 1948
[H. J. Res. 381]
[Public Law 572]

To provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies of 1949.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Federal Works Agency or head of any executive department or establishment is authorized to allocate such space in any public building under his care and supervision as he deems necessary for the purposes of quartering troops participating in the inaugural ceremonies

Inaugural ceremonies, 1949.
Quartering of troops.

to be held on January 20, 1949, but such use shall not continue after January 22, 1949. Authority granted by this joint resolution may be exercised notwithstanding the provisions of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1903, approved April 28, 1902, prohibiting the use of public buildings in connection with inaugural ceremonies.

32 Stat. 152.
40 U. S. C. § 31.

Approved June 1, 1948.

[CHAPTER 373]

AN ACT

June 2, 1948
[H. R. 4426]
[Public Law 573]

To provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes.

Weather Bureau.
Availability of appropriations.
Post, pp. 327, 1040.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations now or hereafter provided for the Weather Bureau shall be available for (a) furnishing food and shelter, without repayment therefor, to employees of the Government assigned to Arctic stations; (b) equipment and maintenance of meteorological offices and stations, and maintenance and operation of meteorological facilities outside the United States by contract or otherwise; (c) repairing, altering, and improving of buildings occupied by the Bureau, and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets abutting Weather Bureau grounds; (d) arranging for communication services at rates to be fixed by the Secretary of Commerce by agreement with the companies performing the services when determined to be advantageous to the Government; and (e) purchasing tabulating cards and continuous form tabulating paper.

Printing office.

SEC. 2. When so specified in appropriation Acts, the Weather Bureau is authorized to maintain a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau which could be done at the Government Printing Office without impairing the service of said Bureau.

Employees of other agencies.

SEC. 3. The Weather Bureau is hereby authorized to (a) grant extra compensation to employees of other Government agencies for taking and transmitting meteorological observations, and (b) appoint employees for the conduct of meteorological investigations in the Arctic region without regard to the civil-service and classification laws and titles II and III of the Federal Employees Pay Act of 1945, both at base rates which shall not exceed such maximum rates as may be specified from time to time in the appropriation concerned.

Investigations in Arctic region.

59 Stat. 296.
5 U. S. C. §§ 911–913, 921, 922; Supp. I, § 922 note.

Transfer of equipment and supplies.

SEC. 4. Subject to approval of the Bureau of the Budget, and without charge to the Weather Bureau, the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy are authorized to transfer to the Weather Bureau equipment and supplies which are surplus to the needs of their respective Departments and necessary for the establishment, maintenance, and operation of Arctic weather stations.

Approved June 2, 1948.

[CHAPTER 374]

JOINT RESOLUTION

June 3, 1948
[H. J. Res. 379]
[Public Law 574]

To provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949.

Inaugural ceremonies, 1949.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That $37,100, or so much

thereof as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, is hereby authorized to be appropriated to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District of Columbia from January 15 to January 26, 1949, both inclusive, including the employment of personal services, payment of allowances, traveling expenses, hire of means of transportation, cost of removing and relocating streetcar-loading platforms; for the construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths, during the period aforesaid, and other incidental expenses in the discretion of the Commissioners. Said Commissioners are hereby authorized and directed to make all reasonable regulations necessary to secure such preservation of public order and protection of life and property, and to make special regulations respecting the standing, movements, and operating of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia, and to charge for such privilege such fees as they may deem proper.

Appropriation authorized for maintenance of order, etc.
Post, p. 544.

Regulations.

Licenses to peddlers, etc.

SEC. 2. Such regulations and licenses shall be in force one week prior to said inauguration, during said inauguration, and one week subsequent thereto, and shall be published in one or more of the daily newspapers published in the District of Columbia and in such other manner as the Commissioners may deem best to acquaint the public with the same; and no penalty prescribed for the violation of any such regulations shall be enforced until five days after such publication. Any person violating any of such regulations shall be liable for each such offense to a fine of not to exceed $100 in the municipal court for the District of Columbia, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than sixty days.

Duration of regulations, etc.

Publication.

Penalty.

Approved June 3, 1948.

[CHAPTER 375]

JOINT RESOLUTION

June 3, 1948
[H. J. Res. 380]
[Public Law 575]

Authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Federal Works Agency, and such other officers of the District of Columbia and the United States as control any public lands in the District of Columbia, are hereby authorized to grant permits, under such restrictions as they may deem necessary, to the Committee on Inaugural Ceremonies to be appointed with the approval of the President-elect for the use of any reservations or other public spaces in the District of Columbia under their control on the occasion of the inauguration of the President-elect in January 1949: *Provided*, That in their opinion no serious or permanent injuries will be thereby inflicted upon such reservations or public spaces or statuary thereon; and the Commissioners of the District of Columbia may designate for such and other purposes, on the occasion aforesaid, such streets, avenues, and sidewalks in said District of Columbia under their control as they may deem proper and necessary: *Provided, however*, That all stands or platforms that may be erected on the public space, as aforesaid, including such as may be erected in connection with the

Inaugural ceremonies, 1949.
Use of public spaces in D. C.

Conditions.

Designation of streets, etc.

Stands and platforms.

display of fireworks, shall be under the said supervision of the said inaugural committee, and no stand shall be built on the sidewalk, streets, parks, and public grounds of the District of Columbia, not including the area on the south side of Pennsylvania Avenue directly in front of the White House, except such as are approved by the inaugural committee, the director of inspection of the District of Columbia, and the Administrator of the Federal Works Agency:

Prompt restoration.

And provided further, That the reservations or public spaces occupied by the stands or other structures shall, after the inauguration, be promptly restored to their condition before such occupation, and that the inaugural committee shall indemnify the appropriate agency of the Government for any damages of any kind whatsoever upon such reservations or spaces by reason of such use.

Overhead conductors for illumination.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination of the inaugural committee for said inaugural ceremonies to stretch suitable overhead conductors, with sufficient supports wherever necessary, for the purpose of connecting with the present supply of light for the purpose of effecting the said illumination: *Provided*, That if it shall be necessary to erect wires for illuminating or other purposes over any park or reservation in the District of Columbia, the work of erection and removal of said wires shall be under the supervision of the official in charge of said park or reservation: *Provided further*, That the said conductors shall not be used for conveying electrical currents after January 24, 1949, and shall, with their supports, be fully and entirely removed from the streets and avenues of the said District of Columbia on or before January 31, 1949: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, or such other officials as may have jurisdiction in the premises, who shall see that the provisions of this joint resolution are enforced, that all needful precautions are taken for the protection of the public, and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *And provided further*, That no expense or damage on account of or due to the stretching, operation, or removal of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia.

Erection of wires over parks, etc.

Time limit.

Supervision of work.

Expense or damage.

Loan of tents, flags, etc.

SEC. 3. The Secretary of Defense be, and he is hereby, authorized to loan to the Committee on Inaugural Ceremonies such hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, and so forth, belonging to the Government of the United States (except battle flags), that are not now in use and may be suitable and proper for decoration, and which may, in their judgment, be spared without detriment to the public service, such flags to be used in connection with said ceremonies by said committee under such regulations and restrictions as may be prescribed by the said Secretary in decorating the fronts of public buildings and other places on the line of march between the Capitol and the Executive Mansion, and the interior of the reception hall: *Provided*, That the loan of the said hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, and so forth, to the said committee shall not take place prior to the 11th of January, and they shall be returned by the 25th day of January 1949: *Provided further*, That the said committee shall indemnify the said Government for any loss or damage to such flags not necessarily incident to such use. That the Secretary of Defense is hereby authorized to loan to the inaugural committee for the purpose of caring for the sick, injured, and infirm on the occasion of said inauguration such hospital tents and camp appliances, and other necessaries, hospital furniture, and utensils of all descriptions, ambulances, drivers,

Time limit.

Indemnity for loss or damage.

Hospital tents, etc.

stretchers, and Red Cross flags and poles belonging to the Government of the United States as in his judgment may be spared and are not in use by the Government at the time of the inauguration: *And provided further*, That the inaugural committee shall indemnify the Government for any loss or damage to such hospital tents and appliances, as aforesaid, not necessarily incident to such use.

Indemnity for loss or damage.

SEC. 4. The Commissioners of the District of Columbia and the Administrator of the Federal Works Agency be, and they are hereby, authorized to permit telegraph, telephone, radio-broadcasting and television companies to extend overhead wires to such points along the line of parade as shall be deemed by the chief marshal convenient for use in connection with the parade and other inaugural purposes, the said wires to be taken down within ten days after the conclusion of the ceremonies.

Telegraph, telephone, radio, and television wires.

Approved June 3, 1948.

[CHAPTER 379]

AN ACT

June 3, 1948
[S. 1006]
[Public Law 576]

To amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (41 Stat. 438, 30 U. S. C., secs. 201 and 202), is amended to read as follows:

Mineral Leasing Act, amendments.

"SEC. 2. (a) The Secretary of the Interior is authorized to divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, into leasing tracts of forty acres each, or multiples thereof, and in such form as, in his opinion, will permit the most economical mining of the coal in such tracts, but in no case exceeding two thousand five hundred and sixty acres in any one leasing tract, and thereafter he shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon by competitive bidding or by such other methods as he may by general regulations adopt, to any qualified applicant. He is hereby authorized, in awarding leases for coal lands improved and occupied or claimed in good faith, prior to February 25, 1920, to consider and recognize equitable rights of such occupants or claimants. No competitive lease of coal shall be approved or issued until after the notice of the proposed offering for lease has been given in a newspaper of general circulation in the county in which the lands are situated in accordance with regulations prescribed by the Secretary.

Division into leasing tracts.

Offer to qualified applicants.

Rights of occupants or claimants.

Notice.

"(b) Where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area, the Secretary of the Interior may issue, to applicants qualified under this Act, prospecting permits for a term of two years, for not exceeding two thousand five hundred and sixty acres; and if within said period of two years thereafter the permittee shows to the Secretary that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this Act for all or part of the land in his permit.

Prospecting permits.

"Any coal prospecting permit issued under this section may be extended by the Secretary for a period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable

Extension of permit.

diligence, to determine the existence or workability of coal deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons in the opinion of the Secretary warranting such extension.

Limitation on lease to railroads.

"(c) No company or corporation operating a common-carrier railroad shall be given or hold a permit or lease under the provisions of this Act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations; and no such company or corporation shall receive or hold under permit or lease more than ten thousand two hundred and forty acres in the aggregate nor more than one permit or lease for each two hundred miles of its railroad lines served or to be served from such coal deposits exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam.

Main or branch lines.

"Nothing in this section shall preclude such a railroad of less than two hundred miles in length from securing one permit or lease thereunder but no railroad shall hold a permit or lease for lands in any State in which it does not operate main or branch lines."

SEC. 2. Section 9 of the Act (41 Stat. 440, 30 U. S. C., sec. 211) is amended to read as follows:

Phosphate deposits.

"SEC. 9. The Secretary of the Interior is authorized to lease to any applicant qualified under this Act, through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, any phosphate deposits of the United States, and lands containing such deposits, including associated and related minerals, when in his judgment the public interest will be best served thereby. The lands shall be leased under such terms and conditions as are herein specified, in units reasonably compact in form of not to exceed two thousand five hundred and sixty acres."

SEC. 3. Section 10 of the Act (41 Stat. 440, 30 U. S. C., sec. 212) is amended to read as follows:

Description of leased lands.
Royalties.

"SEC. 10. Each lease shall describe the leased lands by the legal subdivisions of the public-land surveys. All leases shall be conditioned upon the payment to the United States of such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, at not less than 5 per centum of the gross value of the output of phosphates or phosphate rock and associated or related minerals. Royalties shall be due and payable as specified in the lease either monthly or quarterly on the last day of the month next following the month or quarter in which

Annual rental.

the minerals are sold or removed from the leased land. Each lease shall provide for the payment of a rental payable at the date of the lease and annually thereafter which shall be not less than 25 cents per acre for the first year, 50 cents per acre for the second and third years, respectively, and $1 per acre for each year thereafter, during the continuance of the lease. The rental paid for any year shall be

Period of lease.

credited against the royalties for that year. Leases shall be for a term of twenty years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each twenty-year period succeeding the date of the lease such reasonable readjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of

Condition.

such periods. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties

Suspension of operations.

not attributable to the lessee. The Secretary of the Interior may

permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss."

SEC. 4. Section 11 of the Act (41 Stat. 440, 30 U. S. C., sec. 213) is hereby amended to read as follows:

Use of silica or limestone deposits.
Ante, p. 290; *supra; infra.*

"SEC. 11. Any lease to develop and extract phosphates, phosphate rock, and associated or related minerals under the provisions of sections 9 to 12, inclusive, of this Act shall provide that the lessee may use so much of any deposit of silica or limestone or other rock situated on any public lands embraced in the lease as may be utilized in the processing or refining of the phosphates, phosphate rock, and associated or related minerals mined from the leased lands or from other lands upon payments of such royalty as may be determined by the Secretary of the Interior, which royalty may be stated in the lease or, as to the leases already issued, may be provided for in an attachment to the lease to be duly executed by the lessor and the lessee."

SEC. 5. Section 12 of the Act (41 Stat. 441, 30 U. S. C., sec. 214) is amended to read as follows:

Use of surface of other lands.
Ante, p. 290; *supra.*

"SEC. 12. The holder of any lease issued under the provisions of sections 9 to 12, inclusive, of this Act shall have the right to use so much of the surface of unappropriated and unentered public lands not a part of his lease, not exceeding eighty acres in area, as may be determined by the Secretary to be necessary or convenient for the extraction, treatment, and removal of the mineral deposits, but this provision shall not be applicable to national forest lands."

SEC. 6. The first sentence of section 27 of such Act, as amended (41 Stat. 448, 30 U. S. C., sec. 184), is amended to read as follows:

Ante, p. 285.

Restrictions on holdings.
Coal or sodium.

"No person, association, or corporation, except as herein provided, shall take or hold coal or sodium leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage five thousand one hundred and twenty acres for each of said minerals: *Provided*, That the Secretary of the Interior may, in his discretion where it is necessary in order to secure the economic mining of sodium compounds leasable under this Act, permit a person, association, or corporation to take or hold sodium leases or permits for up to fifteen thousand three hundred and sixty acres in any one State. No person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate fifteen thousand three hundred and sixty acres granted hereunder in any one State; and no person, association, or corporation shall take or hold at one time phosphate leases or permits exceeding in the aggregate five thousand one hundred and twenty acres in any one State, and exceeding in the aggregate ten thousand two hundred and forty acres in the United States."

Oil or gas.

Phosphate.

SEC. 7. The first sentence of section 39 of such Act of February 25, 1920, as amended (47 Stat. 798, 30 U. S. C., sec. 209), is amended to read as follows:

Waiver, etc., of rental or royalty.

"The Secretary of the Interior, for the purpose of encouraging the greatest ultimate recovery of coal, oil, gas, oil shale, phosphate, sodium, potassium and sulfur, and in the interest of conservation of natural resources, is authorized to waive, suspend, or reduce the rental, or minimum royalty, or reduce the royalty on an entire leasehold, or on any tract or portion thereof segregated for royalty purposes, whenever in his judgment it is necessary to do so in order to promote development, or whenever in his judgment the leases cannot be successfully operated under the terms provided therein."

Repeal.

SEC. 8. The Act entitled "An Act to grant extensions of time under coal permits", approved March 9, 1928, as amended (45 Stat. 251, 30 U. S. C., sec. 201a), is hereby repealed.

Mining of potash.

SEC. 9. The second sentence of section 3 of the Act entitled "An Act to promote the mining of potash on the public domain", approved February 7, 1927, as amended (44 Stat. 1057, 30 U. S. C., sec. 283), is amended to read as follows: "Any lease issued under this Act shall be for a term of twenty years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each twenty-year period succeeding the date of the lease such reasonable adjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of such periods. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties not attributable to the lessee. The Secretary of the Interior may permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss. The Secretary upon application by the lessee prior to the expiration of any existing lease in good standing shall amend such lease to provide for the same tenure and to contain the same conditions, including adjustment at the end of each twenty-year period succeeding the date of said lease, as provided for in this Act."

Period of lease.

Condition.

Suspension of operations.

Amendment of lease.

Approved June 3, 1948.

[CHAPTER 380]

AN ACT

June 3, 1948
[S. 1035]
[Public Law 577]

To provide for the acquisition of the hospital at Camp White, Medford, Oregon, and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration.

Veterans' Administration.
Camp White Hospital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Camp White, Medford, Oregon, and known as Camp White Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

Schick General Hospital.

SEC. 2. That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Clinton, Iowa, and known as Schick General Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

Approved June 3, 1948.

[CHAPTER 381]

AN ACT

June 3, 1948
[H. R. 1608]
[Public Law 578]

To amend an Act entitled "An Act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes", approved August 10, 1939 (53 Stat. 1338).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes", approved August 10, 1939 (53 Stat. 1338), is amended by striking out "$125,000" and inserting in lieu thereof "$250,000".

39 U. S. C. § 487a.

Approved June 3, 1948.

[CHAPTER 382]

AN ACT

June 3, 1948
[H. R. 3578]
[Public Law 579]

To reduce in area the Parker River National Wildlife Refuge in Essex County, Massachusetts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Parker River National Wildlife Refuge in Essex County, Massachusetts, is hereby reduced in area by eliminating therefrom those portions of the refuge designated and known as the Crane Pond, Downfall, and Mill Creek Areas, and the Secretary of the Interior is authorized and directed to dispose of all of the interests of the United States in such areas in accordance with the provisions of this Act.

Parker River National Wildlife Refuge, Mass.
Reduction of area.

SEC. 2. (a) Within ninety days following the date of enactment of this Act, the Secretary of the Interior shall mail, to each prior owner of such lands within the three areas designated in section 1 as have been acquired by the United States by direct purchase or the ownership of which has been determined and compensation therefor paid to the prior owner thereof in the condemnation proceeding entitled "United States v. 12,367.47 Acres More or Less of Land Situate in Essex County, Massachusetts, Civil No. 7010, in the District Court of the United States for the District of Massachusetts", or in any other condemnation proceeding instituted by the United States for the acquisition of lands for the Parker River National Wildlife Refuge, a notice stating in effect that title to the lands acquired from such prior owner will be reconveyed to that prior owner upon payment to the United States, within sixty days after the receipt of such notice, of an amount equal to the purchase price paid by the United States for such lands. Upon receipt of payment from the prior owner of the lands in question, the Secretary of the Interior shall convey all right, title, and interest of the United States in such land to the prior owner thereof.

Reconveyance of land to prior owner.

(b) With respect to such other lands as lie within the three areas designated in section 1 and are included in the condemnation proceeding or proceedings referred to, and compensation for the taking of which has not been paid to the prior owners thereof, the Attorney General of the United States is authorized and directed to exclude the same from the condemnation proceedings entitled "United States v. 12,367.47 Acres More or Less of Land Situate in Essex County, Massachusetts, Civil No. 7010, in the District Court of the United States for the District of Massachusetts", or any other condemnation proceeding instituted by the United States for the acquisition of lands for the Parker River National Wildlife Refuge, in accordance with the provisions of the Act of October 21, 1942 (56 Stat. 797; 40 U. S. C., Supp. 258f), within ninety days following the date of enactment of this Act or within such additional period as the court in such proceeding may determine to be necessary to effectuate the purposes of this Act.

Exclusion from condemnation proceedings.

40 U. S. C. § 258f.

(c) Such lands lying within the boundaries of the areas designated in section 1, the title to which cannot be returned to the prior owners thereof in accordance with the provisions of this section, shall be disposed of in such manner and at such prices as the Secretary of the Interior may deem to be in the best interests of the United States.

Lands not returned to prior owners.

SEC. 3. All moneys paid to the United States in accordance with the provisions of section 2, for the reconveyance of lands to prior owners or in connection with the disposition of such lands as provided therein, all moneys on deposit with the District Court of the United

Credit to certain appropriations.

States for the District of Massachusetts for payment as compensation for the taking of lands within the three areas designated in section 1 as are excluded by stipulation from such condemnation proceeding or proceedings, in accordance with the provisions of section 2, shall be credited to the then current appropriation for carrying out the provisions of section 4 of the Act of March 16, 1934 (48 Stat. 451; 16 U. S. C. 718–718h), as amended, and shall remain available for such purposes until expended.

16 U. S. C. § 718d.

Edible clam resources.

SEC. 4. In the administration of the Parker River National Wildlife Refuge, the Secretary of the Interior is directed to provide assistance to and cooperate with Federal, State, and public or private agencies and organizations in protecting, developing, and maintaining the edible clam resources found within and adjacent to the Parker River National Wildlife Refuge, all in accordance with the provisions of section 1 of the Act of August 14, 1946 (Public Law Numbered 732, Seventy-ninth Congress, second session), and Acts supplementary thereto within the limits of available appropriations.

60 Stat. 1080.
16 U. S. C. § 661.

Propagation and taking of clams.

SEC. 5. Management and administration of the propagation and taking of clams within the boundaries of the Parker River National Wildlife Refuge shall continue to be exercised in accordance with State and local laws and ordinances, but subject to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), as amended.

16 U. S. C. § 715i.

Approved June 3, 1948.

[CHAPTER 383]

AN ACT

June 3, 1948
[H. R. 3603]
[Public Law 580]

Granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other.

Snake River.
Consent of Congress to interstate compact.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That consent of Congress is hereby given to the States of Idaho and Wyoming to negotiate and enter into a compact providing for an equitable division and apportionment among the said States of the waters of the Snake River and all of its tributaries originating in either of the two States and flowing into the other, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact entered into: *Provided*, That any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within the Yellowstone National Park or Grand Teton National Park or shall establish any right or interest in or to any lands within the boundaries thereof or in subsequent additions thereto.

Ratification and approval.

Nonapplicability.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder.

Approved June 3, 1948.

[CHAPTER 384]

AN ACT

June 3, 1948
[H. R. 3633]
[Public Law 581]

To amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of title II of the Hawaiian Homes Commission Act of July 9, 1921 (42 Stat. 109; 48 U. S. C. 697), as amended, designating certain public lands as available home lands, is further amended by adding thereto the following:

Hawaiian Homes Commission Act, amendment.
Post, p. 303.

"Wailuku, Maui: That parcel of government land, situate in the District of Wailuku, island and county of Maui, comprising twelve and four hundred and fifty-five one-thousandths acres of the Ili of Kou and being a portion of the land covered by General Lease Numbered 2286 to Wailuku Sugar Company, Limited, notwithstanding the fact that said parcel is cultivated sugarcane land, subject, however, to the terms of said lease."

Approved June 3, 1948.

[CHAPTER 385]

AN ACT

June 3, 1948
[H. R. 3635]
[Public Law 582]

To ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Joint Resolution 7, enacted by the Legislature of the Territory of Hawaii in its regular session of 1947, amending section 4565 of chapter 78 of the Revised Laws of Hawaii, 1945, so as to fix at 4 per centum the maximum interest rate chargeable upon the sale of public lands for homestead, residence, or other purposes, and amending section 4601 of such chapter 78 so as to reduce from 6 per centum to 4 per centum the interest rate a freeholder must pay on the balance of the purchase price under a cash freehold agreement, is hereby ratified.

Hawaii.
Interest rates on sale of public lands, etc.

SEC. 2. Section 2 of such Joint Resolution 7, reducing to 4 per centum the interest rate on all special sale agreements and special homestead agreements made prior to the date of enactment of this Act, is hereby ratified.

Approved June 3, 1948.

[CHAPTER 386]

AN ACT

June 3, 1948
[H. R. 3730]
[Public Law 583]

To amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (12) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

Interstate Commerce Act, amendment.
34 Stat. 595.
49 U. S. C. § 20 (12).

"(12) That the common carrier, railroad, or transportation company issuing such receipt or bill of lading, or delivering such property so received and transported, shall be entitled to recover from the common carrier, railroad, or transportation company on whose line the loss, damage, or injury shall have been sustained, the amount of

Recovery by initial or delivering carrier.

such loss, damage, or injury as it may be required to pay to the owners of such property, as may be evidenced by any receipt, judgment, or transcript thereof, and the amount of any expense reasonably incurred by it in defending any action at law brought by the owners of such property."

Approved June 3, 1948.

[CHAPTER 387]

AN ACT

June 3, 1948
[H. R. 3954]
[Public Law 584]

To approve Act Numbered 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii", and Act Numbered 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds".

Hawaii.
Issuance of revenue bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Act Numbered 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii", passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on May 12, 1947, and Act Numbered 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds", passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on May 13, 1947, are hereby confirmed and ratified: *Provided*, That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time, subject to the provisions of section 1 of the Act of Congress entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, or such other Act or Acts of Congress as may then govern the issuance of revenue bonds by the Territory of Hawaii and its political subdivisions, including without prejudice to the generality of the foregoing the amendment of said Act Numbered 95 of the Session Laws of 1947 of the Territory of Hawaii to provide for changes in the improvements authorized by said act or in the officers or entities authorized to make said improvements, or otherwise.

Amendments.

49 Stat. 516.
48 U. S. C. § 562d.

Approved June 3, 1948.

[CHAPTER 388]

AN ACT

June 3, 1948
[H. R. 4091]
[Public Law 585]

To ratify Act 237 of the Session Laws of Hawaii 1947.

Hawaii.
Water supply in District of Wahiawa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Act 237 of the Session Laws of Hawaii 1947, providing for the development, storage, distribution, and supply of water in and near the District of Wahiawa, in the city and county of Honolulu, Territory of Hawaii, is hereby ratified. Nothing therein shall be deemed to approve, add to, alter, or extend any provision of any lease, license, or other instrument issued by the Commissioner of public lands of the Territory of Hawaii, or to confer any water right of, or in lands owned by, the United States of America or the Territory of Hawaii.

Approved June 3, 1948.

[CHAPTER 389]

AN ACT

June 3, 1948
[H. R. 4201]
[Public Law 586]

To authorize payments to the public school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, under regulations prescribed by the Secretary of the Army, payments may be made, in advance or otherwise, from any funds available for the Fort Peck project, Montana, to the school district or districts serving that project as reimbursement for educational facilities (including, where appropriate, transportation to and from school) furnished by the said district or districts to pupils who are dependents of persons engaged in the construction, operation, and maintenance of the project and living at or near Fort Peck upon real property of the United States not subject to taxation by State or local agencies and upon which payments in lieu of taxes are not made by the United States, which payments for any school year shall not exceed that part of the cost of operating and maintaining such facilities which the number of pupils aforesaid in average daily attendance during that year bears to the whole number of pupils in average daily attendance at those schools during that year: *Provided*, That of the whole amount so paid in any fiscal year, the Bureau of Reclamation, Department of the Interior, shall reimburse the Secretary of the Army from the continuing fund provided in Section 10 of the Act of May 18, 1938 (52 Stat. 403), that part which is properly chargeable as an operation expense incident to the generation and transmission of power delivered to the Bureau under that Act.

Fort Peck project, Mont.
Payments to school districts.

Reimbursement to Secretary of Army.

16 U. S. C. § 833i.

Approved June 3, 1948.

[CHAPTER 390]

AN ACT

June 3, 1948
[H. R. 4393]
[Public Law 587]

To provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. That this Act may be cited as the "Coast and Geodetic Survey Commissioned Officers' Act of 1948".

Coast and Geodetic Survey Commissioned Officers' Act of 1948.

AUTHORIZED NUMBERS IN GRADES

SEC. 2. (a) Of the total authorized number of commissioned officers on the active list of the Coast and Geodetic Survey, there are authorized numbers in permanent grade, in relative rank with officers of the Navy, in the proportion of eight in the grade of captain, to fourteen in the grade of commander, to nineteen in the grade of lieutenant commander, to twenty-three in the grade of lieutenant, to eighteen in the grade of lieutenant (junior grade), to eighteen in the grade of ensign.

(b) Whenever a final fraction occurs in computing the authorized number of officers in any grade, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken: *Provided*, That the total number of officers as authorized by law shall not be increased as the result of the computations prescribed herein, and if necessary the number of officers in the lowest grade shall be reduced accordingly.

Fractions in computation.

(c) No officer shall be reduced in grade or pay or separated from the active list as the result of any computations made to determine the authorized number of officers in the various grades.

Vacancies.

(d) Nothing in this section shall be construed as requiring the filling of any vacancy or as prohibiting additional numbers in any grade to compensate for vacancies existing in higher grades.

PROMOTION AND SEPARATION OF OFFICERS

SEC. 3. Promotion to fill vacancies in all permanent grades above that of lieutenant (junior grade) shall be made by selection from the next lower respective grades upon recommendation of the personnel board hereinafter provided for.

Lieutenant (jg) and lieutenant.

SEC. 4. Irrespective of any vacancies, each officer in the permanent grade of lieutenant (junior grade) and lieutenant shall be considered by the personnel board for promotion to the grade of lieutenant and lieutenant commander in sufficient time so that, if found fully qualified, such officer may be promoted to and appointed in such grade upon completion of seven and fourteen years of service, respectively. All promotions under this section shall be made on the date on which the required service is completed, and the authorized number of officers in the grade of lieutenant and lieutenant commander shall be temporarily increased, if necessary, to authorize such appointments: *Provided*, That an officer found not fully qualified in accordance with this section may be promoted on such later date on which he may be found fully qualified.

Nonqualified officer.

Lieutenant commander and commander.

SEC. 5. Irrespective of any vacancies, any officer in the permanent grade of lieutenant commander who has completed twenty-one years of service and any officer in the permanent grade of commander who has completed thirty years of service may be considered by the personnel board at any time for promotion to the grade of commander and captain, respectively. If selected, he may be promoted at any time and the authorized number of officers in the grade of commander and captain shall be temporarily increased, if necessary, to authorize such appointments.

Ensign.

SEC. 6. (a) Officers in the permanent grade of ensign shall be promoted to and appointed in the grade of lieutenant (junior grade) on completion of three years of service, and the authorized number of officers in the grade of lieutenant (junior grade) shall from time to time be temporarily increased as necessary to authorize such appointments.

Revocation of commission.

(b) Ensigns who are found not fully qualified at any time shall have their commissions revoked and be separated from the commissioned service.

Lineal list.

SEC. 7. Each officer shall be assumed to have, for promotion purposes, at least the same length of service as any officer below him on the lineal list, except that an officer who has lost numbers shall be assumed to have for promotion purposes no greater service than the officer next above him in his new position on the lineal list.

Retirement or separation.

SEC. 8. As recommended by the personnel board, officers in the permanent grade of captain, commander, and lieutenant commander may be transferred to the retired list and officers in the permanent grade of lieutenant and lieutenant (junior grade) may be separated from the service: *Provided*, That, in any fiscal year, the total number of officers selected for retirement and separation plus the number of officers retired for age shall not exceed the whole number nearest 4 per centum of the total authorized number of commissioned officers on the active list, except as otherwise provided by law: *Provided further*, That all retirements and separations pursuant to this section shall become effective on the first day of the sixth month following the

Limitation.

Date of retirement or separation.

date of approval of the retirement or separation by the Secretary of Commerce, unless the officer concerned requests earlier retirement or separation, in which case the date shall be as determined by the Secretary of Commerce.

Lump-sum payment.

SEC. 9. Any officer in the grade of lieutenant or lieutenant (junior grade) who is separated from the service in accordance with section 8 of this Act shall be paid a lump-sum payment computed on the basis of two months' active-duty pay with longevity credit at the time of separation for each year of service, but not to exceed a total of two years' active-duty pay with longevity credit: *Provided*, That for the purpose of this section a fractional year of six months or more shall be considered a full year in computing the number of years of service upon which to base such lump-sum payment.

Fractional year.

Senate approval.

SEC. 10. (a) Promotions to all permanent grades shall be made by the President, by and with the advice and consent of the Senate.

Suspension in time of war, etc.

(b) In time of emergency declared by the President or by the Congress, and in time of war, the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law pertaining to promotion.

SEC. 11. Nothing in this Act shall be construed to modify the provisions of existing law relating to examination of officers for promotion, and no officer shall be promoted until he shall have passed the prescribed examinations.

RETIREMENT OF OFFICERS

Officers ranking below rear admiral.

SEC. 12. (a) When any commissioned officer serving in a rank below that of rear admiral has attained the age of sixty years, he shall be placed on the retired list: *Provided*, That this subsection shall not become effective until a date six months subsequent to the enactment of this Act, and until such effective date the retirement age for officers serving in a rank below that of rear admiral shall be sixty-two years.

Officers ranking above captain.

(b) When any officer serving in a rank above that of captain has attained the age of sixty-two years, he shall be placed on the retired list: *Provided*, That the President may, in his discretion, defer placing any such officer on the retired list for the length of time he deems advisable but not later than the date upon which such officer attains the age of sixty-four years.

Voluntary retirement.

SEC. 13. When any commissioned officer has completed thirty years of service, he may at any time thereafter, upon his own application, in the discretion of the President, be placed on the retired list.

Service-incurred disability.

SEC. 14. When any commissioned officer is found incapacitated for active service and his incapacity is the result of disease or injury incurred in line of duty, he shall, upon approval of the President, be placed on the retired list.

Computation of service.

SEC. 15. In computing service for the purpose of retirement of a commissioned officer, there shall be included, in addition to active commissioned service in the Coast and Geodetic Survey, all active service counted on June 30, 1922, for longevity pay, service as authorized in section 2 (b) of the Act of January 19, 1942 (56 Stat. 6), and all service in the Army, Navy, Air Force, Marine Corps, and Coast Guard which is now or hereafter may be authorized by law to be counted for the purpose of retirement of an officer of those services.

33 U.S.C. §854a (b).
Post, p. 300.

Retired pay.

SEC. 16. (a) Each commissioned officer on the retired list, except as provided in subsection (b) of this section or in some other provision of law, shall receive retired pay at the rate of 2½ per centum of the active-duty pay with longevity credit of the rank with which retired, multiplied by the number of years of service for which entitled to credit in the computation of his pay while on active duty, not to exceed a total of 75 per centum of said active-duty pay with longevity credit:

Fractional year.

Provided, That a fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ per centum is multiplied.

Disability retirement pay.

(b) Each commissioned officer retired for physical disability incurred in line of duty shall receive retired pay at the rate of 75 per centum of the active-duty pay with longevity credit of the rank with which retired.

Rank on retired list.

SEC. 17. (a) Each commissioned officer heretofore or hereafter retired pursuant to any provision of law shall be placed on the retired list with the highest rank, permanent or temporary, held by him while on active duty, if his performance of duty, in the case of temporary rank, has been satisfactory as determined by the Secretary of the department or departments under whose jurisdiction the officer served, and shall receive retired pay based on such higher rank: *Provided*, That for the purposes of this section the words "temporary rank" shall mean temporary rank held prior to June 30, 1946.

"Temporary rank."

(b) Officers on the retired list returned to an inactive status with higher rank pursuant to subsection (a) of this section shall receive retired pay based on such higher rank.

SEC. 18. Nothing in this Act shall prevent any officer from being placed on the retired list with the highest rank and with the highest retired pay to which he might be entitled under other provision of law.

PERSONNEL BOARD

SEC. 19. At least once a year and at such other times as may be necessary, the Secretary of Commerce shall appoint a personnel board consisting of not less than five officers not below the permanent rank of commander on the active list, to recommend such changes in the lineal list as the board may determine, and to make selections and recommendations for the promotion, separation, and retirement of officers as herein prescribed: *Provided*, That in case any recommendation by the board is not acceptable to the Secretary of Commerce or to the President, the board shall make such further recommendations as shall be acceptable.

AMENDMENTS TO AND REPEAL OF APPOINTMENT, PROMOTION, AND RETIREMENT LAWS

SEC. 20. (a) Section 5 of the Act of February 16, 1929 (45 Stat. 1186), as amended by the Act of March 18, 1936 (ch. 147, 49 Stat. 1164), is hereby further amended by deleting the word "not" in the third line.

33 U. S. C. § 852a.

56 Stat. 8.
33 U. S. C. § 852b.

(b) Section 8 of the Act of January 19, 1942 (59 Stat. 8), is hereby amended by deleting the word "not" in the fourth line, by changing the period at the end of the section to a colon, and by adding the words "*Provided further*, That any officer, upon expiration of his appointment as Director or Assistant Director, shall, unless reappointed, revert to the grade and number that he would have occupied had he not served as Director or Assistant Director. Such officer shall be an extra number in his grade and the authorized number of ensigns shall be decreased accordingly."

Director or Assistant Director.

Repeal.

SEC. 21. (a) Sections 1, 2 (except the second proviso of section 2 (b)), 3, 4, 5, and 6 of the Act of January 19, 1942 (59 Stat. 8), are hereby repealed.

56 Stat. 6.
33 U. S. C. §§ 851a, 854a, 854b, 854c, 864b, 864c.

(b) The word "physicial" in the first line of section 7 of the said Act of January 19, 1942, is hereby amended to read "physical".

56 Stat. 8.
33 U. S. C. § 864d.

Approved June 3, 1948.

[CHAPTER 391]

AN ACT

To provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State College at Tahlequah, Oklahoma.

June 3, 1948
[H. R. 4512]
[Public Law 588]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to grant and convey, for and in consideration of $1, to the State of Oklahoma for the use and benefit of the Northeastern State College, Tahlequah, Oklahoma, all the right, title, and interest of the United States in and to certain land in Tahlequah, Oklahoma, more particularly described as follows:

Northeastern State College, Tahlequah, Okla.
Conveyance.

The south two and one-half acres of the north fifteen and forty-five one hundredths acres of Seminary Park, less twenty-five feet on the east side and twenty-five feet on the north side of such fifteen and forty-five one hundredths acres, reserved for road purposes according to the official plat of the city of Tahlequah, Oklahoma, approved by the Secretary of the Interior on March 4, 1904.

Approved June 3, 1948.

[CHAPTER 392]

AN ACT

To eliminate the requirement of oaths in certain land matters, and for other purposes.

June 3, 1948
[H. R. 4513]
[Public Law 589]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That written statement in public land matters within the jurisdiction of the Department of the Interior, heretofore required by law to be made under oath, need no longer be made under oath unless the Secretary of the Interior shall, in his discretion, so require.

Oaths in public land matters.

SEC. 2. Unsworn written statements made in public land matters within the jurisdiction of the Department of the Interior shall remain subject to section 35 (A) of the Criminal Code (35 Stat. 1095, 18 U. S. C. sec. 80), as amended.

Unsworn written statements.

Post, p. 863.

SEC. 3. That part of section 558 of the Act of March 3, 1901, entitled "An Act to establish a code of law for the District of Columbia" (31 Stat. 1279), as amended December 15, 1944 (58 Stat. 810, D. C. Code, 1940 edition, Supp. IV, sec. 1–501), which reads as follows: "*And provided further*, That no notary public shall be authorized to take acknowledgments, administer oaths, certify papers, or perform any official acts in connection with matters in which he is employed as counsel, attorney or agent or in which he may be in any way interested before any of the Departments aforesaid" shall not apply to matters before the Department of the Interior.

D. C. Code, Supp. VI, § 1–501.
Exception.

Approved June 3, 1948.

[CHAPTER 393]

AN ACT

To provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes.

June 3, 1948
[H. R. 4551]
[Public Law 590]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of surplus Federal property, comprising eight and one-tenth acres of land situated in Dare County, North Carolina, approximately two miles north of Kitty Hawk, and designated as "Surplus Real Property No. WH–NC–29, Kitty Hawk, North Carolina," which is now

Cape Hatteras National Seashore Recreational Area project.

subject to disposition by the War Assets Administration, is hereby transferred, without exchange of funds, to the administrative jurisdiction of the National Park Service of the Department of the Interior to be administered as a part of the Cape Hatteras National Seashore Recreational Area project, authorized by the Act of August 17, 1937, as amended (50 Stat. 669; 16 U. S. C., secs. 459–459a–3), and shall be subject to all laws applicable thereto.

Approved June 3, 1948.

[CHAPTER 394]

AN ACT

June 3, 1948
[H. R. 4804]
[Public Law 591]

To allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941.

Coast Guard.
Guards, etc., at Ivigtut Cryolite Mine, Greenland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those enlisted men of the Coast Guard who, during 1940 and 1941, were discharged from the Coast Guard to accept employment as policemen and guards at the Ivigtut Cryolite Mine, Greenland, and who reenlisted in the Coast Guard within three months after the termination of their service as such policemen and guards, shall be credited with the time between discharge and reenlistment for purposes of longevity pay and retirement, but no increased retroactive pay shall accrue by reason of the enactment of this Act.

Approved June 3, 1948.

[CHAPTER 395]

AN ACT

June 3, 1948
[H. R. 4817]
[Public Law 592]

To amend the Act of July 23, 1947 (61 Stat. 409) (Public Law Numbered 219 of the Eightieth Congress).

Coast Guard.
Appointment of officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Act of July 23, 1947 (61 Stat. 409), is hereby amended to read as follows:

34 U. S. C. §§ 350–350j; Supp. I, §§ 350–350j.

"SEC. 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed; but the Act of July 24, 1941, as amended (55 Stat. 603), shall continue to have application to the Coast Guard until such time as the Secretary of the Treasury shall determine that the number of officers holding permanent appointments on the active list of the Coast Guard is equal to 95 per centum of the number of such officers authorized by law, exclusive of extra numbers, or on January 1, 1957, whichever shall occur earlier."

Approved June 3, 1948.

[CHAPTER 396]

AN ACT

June 3, 1948
[H. R. 5122]
[Public Law 593]

To amend section 9 of the Act of August 24, 1912 (37 Stat. 512).

Alaska.
48 U. S. C. §§ 77–79.
Taxation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of section 9 of the Act of August 24, 1912 (37 Stat. 512, 515), be amended to read as follows: "*Provided*, That all authorized indebtedness shall be paid in the order of its creation; all taxes shall be uniform upon the same class of subjects and shall be levied and collected under general laws, and the assessments shall be according to the true and

full value thereof, except that unpatented mining claims and non-producing patented mining claims, which are also unimproved, may be valued at the price paid the United States therefor, or at a flat rate fixed by the legislature, but if the surface ground is used for other than mining purposes, and has a separate and independent value for such other purposes, or if there are improvements or machinery or other property thereon of such a character as to be deemed a part of the realty, then the same shall be taxed according to the true and full value thereof. No tax shall be levied for Territorial purposes in excess of 2 per centum upon the assessed valuation of the property therein in any one year; nor shall any incorporated town or municipality levy any tax, for any purpose, in excess of 3 per centum of the assessed valuation of property within the town in any one year".

Approved June 3, 1948.

[CHAPTER 397]

AN ACT

June 3, 1948
[H. R. 5173]
[Public Law 594]

To amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of title II of the Hawaiian Homes Commission Act of July 9, 1921 (42 Stat. 109; 48 U. S. C. 697), as amended, designating certain public lands as available home lands, is further amended by adding thereto the following paragraph:

Hawaiian Homes Commission Act, amendment.
Ante, p. 295.

"Cultivated sugarcane lands: That parcel of Anahola, Island of Kauai, comprising four hundred and one and four hundred and twenty-three one-thousandths acres, hereinafter described and being portion of the land covered by general lease numbered 2724 to the Lihue Plantation Company, Limited, notwithstanding the fact that said parcel is cultivated sugarcane land, subject however, to the terms of said lease, said parcel being more particularly described as follows:

"Being a portion of land described in general lease numbered 2724 to the Lihue Plantation Company situate in the district of Anahola, Kauai, Territory of Hawaii, beginning at the northwest corner of this parcel of land, the coordinates of which referred to government triangulation station south base are three thousand and forty-nine and sixty-two one-hundredths feet south, one thousand nine hundred and thirty-two and twenty-five one-hundredths feet west, and running thence by azimuths measured clockwise from true south two hundred and eighty-four degrees thirty minutes two hundred and fifty feet, thence on the arc of circular curve to the left, with a radius of eight hundred and ninety feet and a central angle of thirty-five degrees fifteen minutes, the direct azimuth and distance being two hundred and sixty-six degrees fifty-two minutes thirty seconds five hundred and thirty-eight and ninety-six one-hundredths feet, thence two hundred and forty-nine degrees fifteen minutes one thousand eight hundred and nine and twenty-five one-hundredths feet, thence two hundred and twenty-four degrees fifteen minutes three thousand and fifty-six feet, thence one hundred and thirty-four degrees fifteen minutes two hundred and seven feet, to the seashore at Anahola Bay, thence along the seashore around Kahala Point, the direct azimuth and distance being two hundred and thirty-seven degrees six minutes seven seconds one thousand and sixty and fourteen one-hundredths feet, thence along the seashore, the direct azimuth and distance being three hundred and thirty-two degrees no minutes one thousand eight hundred and twenty-seven feet, thence along the seashore, the direct azimuth and distance being three hundred

and fifty-five degrees no minutes one thousand eight hundred and twenty-seven feet, thence eighty-seven degrees twenty minutes seven hundred and forty feet, thence fifty-nine degrees no minutes two thousand seven hundred and fifteen feet, thence sixty-nine degrees fifteen minutes one thousand eight hundred and eighty-seven and thirty-six one-hundredths feet, thence on the arc of a circular curve to the right with a radius of three thousand and twelve feet, and a central angle of thirty-five degrees fifteen minutes the direct azimuth and distance being eighty-six degrees fifty-two minutes thirty seconds one thousand eight hundred and twenty-three and ninety-eight one-hundredths feet, thence one hundred and four degrees thirty minutes two hundred and fifty feet, thence one hundred and ninety-four degrees thirty minutes one thousand and thirty-one feet, thence on the arc of a circular curve to the left with a radius of six hundred and seven and ninety-five one-hundredths feet and a central angle of fifty-three degrees three minutes thirty seconds the direct azimuth and distance being seventy-seven degrees fifty-eight minutes fifteen seconds five hundred and forty-three and nine one-hundredths feet to the government road, thence two hundred and thirty-one degrees twenty-six minutes thirty seconds one hundred and thirteen and sixty-one one-hundredths feet along the government road, thence along the government road on the arc of a circular curve to the left with a radius of four hundred and seventy-seven feet and a central angle of forty-four degrees twenty-six minutes thirty seconds, the direct azimuth and distance being two hundred and nine degrees thirteen minutes fifteen seconds three hundred and sixty and seventy-eight one-hundredths feet, thence one hundred and eighty-seven degrees no minutes one hundred and sixty-nine and fifty-four one-hundredths feet along the government road, thence on the arc of a circular curve to the left with a radius of three hundred and fifty-one and eight one-hundredths feet and a central angle of eighty-two degrees thirty minutes the direct azimuth and distance being three hundred and twenty-five degrees forty-five minutes four hundred and sixty-two and ninety-seven one-hundredths feet, thence one hundred and ninety-four degrees thirty minutes five hundred and seventy-nine feet, thence one hundred and four degrees thirty minutes three hundred feet, thence one hundred and ninety-four degrees thirty minutes two hundred feet, thence two hundred and eighty-four degrees thirty minutes three hundred feet, thence one hundred and ninety-four degrees thirty minutes two hundred and fifty-two feet to the point of beginning containing an area of four hundred and one and four hundred and twenty-three one-thousandths acres more or less."

Approved June 3, 1948.

[CHAPTER 398]

AN ACT

June 3, 1948
[H. R. 5175]
[Public Law 595]

To confirm and ratify Act 205 of the session laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds.

Hawaii.
Public-improvement bonds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That act numbered 205 of the session laws of 1947 of the Territory of Hawaii entitled "An Act making appropriations for public improvements and providing for the issuance of public-improvement bonds", to the extent approved by the Governor of the Territory of Hawaii on May 20, 1947, is hereby confirmed and ratified, subject to the provisions of the Act of Congress approved July 15, 1947 (Public Law 190, Eightieth Congress, first session), any provision of the Hawaiian Organic Act

61 Stat. 326.
48 U. S. C., Supp. I, § 562*l*.
31 Stat. 141.
48 U. S. C. § 493 note.

or any other Act of Congress to the contrary notwithstanding: *Provided, however*, That nothing herein contained shall be deemed to prohibit the amendment of said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, subject, however, to the provisions of the Act of Congress approved July 15, 1947 (Public Law 190, Eightieth Congress, first session), or such other Act or Acts of Congress as may then govern the issuance of public improvement bonds by the Territory of Hawaii.

Amendment of Act.

61 Stat. 326.
48 U. S. C., Supp. I, § 562*l*.

Approved June 3, 1948.

[CHAPTER 399]

AN ACT

To amend an Act entitled "An Act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II."

June 3, 1948
[H. R. 5244]
[Public Law 596]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 27, 1944, as amended (58 Stat. 747; 43 U. S. C. 279, and the following), is hereby amended by renumbering section 5 to read "Section 6", and by adding the following:

Veterans of World War II.
Homestead entries.
43 U. S. C., Supp. I, § 279 *et seq.*

"SEC. 5. As used in this Act, the term "homestead" includes land hereafter disposed of under the Act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461): *Provided*, That nothing in this section shall be construed to extend any cultivation requirements to lands disposed of under the Act of May 26, 1934. As used in this Act, the words 'equitable claims subject to allowance and confirmation' include claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands."

Approved June 3, 1948.

[CHAPTER 400]

AN ACT

Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes.

June 3, 1948
[H. R. 5607]
[Public Law 597]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, namely:

Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1949.

TITLE I—DEPARTMENT OF STATE

Department of State Appropriation Act, 1949.

DEPARTMENT SERVICE

Salaries and expenses, Department of State: For necessary expenses, including personal services in the District of Columbia; salary of the Under Secretary of State, $12,000; salaries of the secretariat for the National Commission on Educational, Scientific, and Cultural Cooperation as authorized by the Act of July 30, 1946 (22 U. S. C. 287o); health service program as authorized by law (5 U. S. C. 150); not to exceed $26,000 for expenses of attendance at meetings concerned with the work of the Department of State; purchase of uniforms for chauffeurs; hire of passenger motor vehicles and purchase of nine (of which seven, including one at not to exceed $3,000, shall be for

60 Stat. 713.
60 Stat. 903.

replacement only); and dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members; newspapers (not to exceed $15,000); rental of tie lines and teletype equipment; stenographic reporting and translating services by contract and services for the analysis and tabulation of technical information and the preparation of special maps, globes, and geographic aids by contract, all without regard to section 3709 of the Revised Statutes, as amended; expenses as authorized by title VII (except section 705), of the Foreign Service Act of 1946; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); refund of fees erroneously charged and paid for the issue of passports as authorized by law (22 U. S. C. 214a); not to exceed $43,000 for deposit in the Treasury for penalty mail of the Department of State (39 U. S. C. 321d); the examination of estimates of appropriations in the field; and maintenance and operation of passport and despatch agencies established by the Secretary of State; $20,000,000, of which $1,000 is for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921): *Provided*, That not to exceed $3,000 of this appropriation may be expended for necessary expenses, except personal services, in carrying out the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (19 U. S. C. 1354).

Rental of tie lines and teletype equipment.

41 U. S. C. § 5.

60 Stat. 1018.
22 U. S. C. §§ 1041–1047.

60 Stat. 810.

Refund of certain passport fees.

44 Stat. 887.

58 Stat. 394.
Post, p. 1049.

60 Stat. 843.
Post, p. 1008.

48 Stat. 945.
Post, p. 1054.

Printing and binding, Department of State: For printing and binding in the Department of State except as otherwise provided for, $569,000.

Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia, printing and binding, and traveling expenses, as provided by the Act of July 31, 1945 (5 U. S. C. 168d), $30,000.

59 Stat. 510.
5 U. S. C., Supp. I, § 168d note.

North Atlantic fisheries: For necessary expenses of surveys, discussions, and other activities incident to the participation of the United States in an international agreement relating to conservation of the North Atlantic fisheries, including personal services in the District of Columbia; temporary employment of persons without regard to civil-service laws and the Classification Act of 1923, as amended; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and attendance at meetings of organizations concerned with the furtherance of the purpose hereof, $25,000.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

60 Stat. 810.

FOREIGN SERVICE

Salaries and expenses, Foreign Service: For necessary expenses of the Foreign Service, except as otherwise provided for, including those authorized by the Foreign Service Act of 1946 (22 U. S. C. 801–1158), except title VII, sections 701, 702, 703, 704, 706, 707, title VIII, and section 901 of title IX; repairs, alterations, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including minor construction on Government-owned properties, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); ice and drinking water for office purposes; the hire of passenger motor vehicles, and purchase of twenty-three, including two for chiefs of missions at not to exceed $3,000 each; maintenance, operation, and repair of airplanes; maintenance, operation, repair, and rental of motorboats and launches for use at posts where determined to be necessary by the Secretary of State; insurance of official motor vehicles in foreign countries when

Post, p. 1046.

60 Stat. 999.

22 U. S. C. §§ 1041–1047, 1061–1116, 1131.

required by law of such countries; excise taxes on negotiable instruments; purchase of uniforms; health service program as authorized by law (5 U. S. C. 150); purchase of household furniture and furnishings for Government-owned, rented, or leased buildings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292–299), and the acquisition, by purchase or otherwise, of household equipment for the purpose set forth in section 912 of said Foreign Service Act of 1946, all without regard to section 3709 of the Revised Statutes, as amended; loss by exchange; radio broadcasting; payment in advance for subscriptions to commercial information, telephone and similar services, including telephone service in residences as authorized by the Act of April 30, 1940 (31 U. S. C. 679); burial expenses and expenses in connection with last illness and death of certain native employees, as authorized by the Act of July 15, 1939 (5 U. S. C. 118f); for relief, protection, and burial of American seamen, and alien seamen as authorized by the Act of March 24, 1943 (57 Stat. 45), in foreign countries and in Territories and insular possessions of the United States, and for expenses incurred in the acknowledgment of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad; for expenses of maintaining in Egypt, Ethiopia, Morocco, and Muscat, institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime, as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and the operation and maintenance of commissary and mess service (not to exceed $200,000), without regard to section 3709 of the Revised Statutes, as amended; $43,750,000: *Provided*, That the Secretary of State may lease or rent, for periods not exceeding ten years, offices, buildings, grounds, and living quarters for the use of the Foreign Service, which rental payments may be made in advance, and may furnish heat, fuel, light, gas, and electricity for Government-owned, leased, or rented offices, buildings, grounds, and living quarters, all without regard to section 3709 of the Revised Statutes, as amended: *Provided further*, That pursuant to section 8 of the Act of August 2, 1946 (Public Law 600), automobiles in possession of the Foreign Service abroad may be exchanged or sold and the exchange allowances or proceeds of such sales applied to replacement of an equal number of passenger vehicles and the cost, including the exchange allowance, of each such replacement shall not exceed $3,000 in the case of the chief of mission automobile at each diplomatic mission and $1,400 in the case of all other passenger vehicles except station wagons, and such replacements shall not be charged against the numerical limitation hereinbefore set forth.

60 Stat. 903.

44 Stat. 403.

60 Stat. 1027.
22 U. S. C. § 1137.
41 U. S. C. § 5.
Radio broadcasting.

54 Stat. 175.

53 Stat. 1043.

Relief, etc., of American seamen.
50 U. S. C. app. § 1291 *et seq.*

Consular prisons, etc.

Bringing home persons charged with crime.

Post, p. 862.

41 U. S. C. § 5.

Advance payment of rent.
Leases.

41 U. S. C. § 5.

60 Stat. 808.
5 U. S. C. § 118d–1.
Automobiles.

Living and quarters allowances, Foreign Service: To provide for allowances as authorized by section 901 (1) and (2) of the Foreign Service Act of 1946 (22 U. S. C. 1131), $7,150,000.

Post, p. 1046.

60 Stat. 1025.

Representation allowances, Foreign Service: For representation allowances as authorized by section 901 (3) of the Foreign Service Act of 1946 (22 U. S. C. 1131), $650,000.

60 Stat. 1026.

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Foreign Service Act of 1946 (22 U. S. C. 1061–1116), $2,150,000, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

60 Stat. 1019.

Printing and binding, Foreign Service: For printing and binding for the Foreign Service, except as otherwise provided for, $170,000:

Provided, That printing and binding outside continental United States may be without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111).

40 Stat. 1270.

Foreign Service buildings fund: For carrying into effect the Act of July 25, 1946 (22 U. S. C. 295b), including the initial alterations, repair, and furnishing of buildings acquired under said Act, $35,000,000, which is exclusively for expenditure under the provisions of said Act which relate to payments representing the value of foreign property or credits.

60 Stat. 663.

Emergencies arising in the Diplomatic and Consular Service: For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), including personal services in the District of Columbia, $9,750,000: *Provided*, That the Secretary of State may delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

Delegation of authority.

31 U. S. C. § 107.

INTERNATIONAL ACTIVITIES

Post, pp. 1046, 1058.

United States participation in international organizations: For expenses necessary for United States participation in international organizations, including payment of the annual contributions, quotas, and assessments, and costs of permanent United States representation to such organizations, in not to exceed the respective amounts as follows:

American International Institute for the Protection of Childhood (22 U. S. C. 269b), $2,000;

45 Stat. 487.

Bureau of the International Telecommunications Union, Radio Section (49 Stat. 2391, 54 Stat. 1417), $6,100;

Bureau of Interparliamentary Union for Promotion of International Arbitration (22 U. S. C. 276, 276a; Public Law 409, approved February 6, 1948), $30,000, of which $15,000 or so much thereof as may be necessary, to assist in meeting the expenses of the American group, shall be disbursed on vouchers to be approved by the President and the executive secretary of the American group;

49 Stat. 425.

Ante, p. 19.

Cape Spartel and Tangier Light, Coast of Morocco (14 Stat. 679), $1,200;

Ante, p. 65.

Caribbean Commission (Public Law 431, approved March 4, 1948), $135,000;

Central Bureau of the International Map of the World on the Millionth Scale (22 U. S. C. 269a), $50;

46 Stat. 825.

Food and Agriculture Organization of the United Nations (22 U. S. C. 279–279d), $1,250,000;

59 Stat. 529.

Gorgas Memorial Laboratory (22 U. S. C. 278, 278a, 278b), $50,000;

45 Stat. 491; 58 Stat. 402.

Inter-American Coffee Board (55 Stat. 1158, 1160), $8,000;

Post, pp. 1046, 1213.

Inter-American Indian Institute (56 Stat. 1303), $4,800;

Inter-American Institute of Agricultural Sciences (58 Stat. 1169), $145,397;

Inter-American Radio Office (53 Stat. 1576), or its successor, $6,720;

Inter-American Statistical Institute (22 U. S. C. 269d), $29,080;

56 Stat. 20.

International Bureau of the Permanent Court of Arbitration (32 Stat. 1779, 36 Stat. 2199), $1,723;

International Bureau for the Protection of Industrial Property (53 Stat. 1748), $1,820;

International Bureau for Publication of Customs Tariffs (26 Stat. 1520), $2,233;

International Bureau of Weights and Measures (20 Stat. 714, 43 Stat. 1687), $8,314;

International Council of Scientific Unions and Associated Unions (22 U. S. C. 274), $6,993; 49 Stat. 540.
International Hydrographic Bureau (22 U. S. C. 275), $9,147; 41 Stat. 1215.
International Labor Organization (22 U. S. C. 271), $1,091,739; 48 Stat. 1182. *Post*, p. 1151.
International Office of Public Health (35 Stat. 2061), $2,553; 37 Stat. 692.
International Penal and Penitentiary Commission (22 U. S. C. 263), $4,837; 43 Stat. 112.
International Statistical Bureau at The Hague (22 U. S. C. 269c), $2,500; 49 Stat. 612.
Pan-American Institute of Geography and History (22 U. S. C. 273), $10,000; 36 Stat. 1032.
Pan-American Sanitary Bureau (44 Stat. 2041), $145,397; *Ante*, p. 15.
Pan-American Union (treaty of February 20, 1928; 22 U. S. C. 264; 44 U. S. C. 282), $1,536,352; 59 Stat. 619. 22 U. S. C., Supp. I, § 287 note.
Payment to the Government of Panama (33 Stat. 2238, 53 Stat. 1818), $430,000; 60 Stat. 712.
South Pacific Commission (Public Law 403, approved January 28, 1948), $20,000; *Post*, p. 1047.
United Nations (22 U. S. C. 287–287e), $15,146,032 of which amount $13,841,032 shall be available for contribution; 61 Stat., Pt. 2, p. 1180.
United Nations Educational, Scientific, and Cultural Organization (22 U. S. C. 287m–287t), $3,772,775 of which amount $3,637,545 shall be available for contribution;
International Civil Aviation Organization (Convention ratified by the Senate July 25, 1946), $680,500 of which amount $600,000 shall be available for contribution;

In all, $24,541,262, together with such additional sums due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation: *Provided*, That, without regard to section 3709 of the Revised Statutes, as amended, amounts for United States representation in United Nations, United Nations Educational, Scientific, and Cultural Organization, and International Civil Aviation Organization shall be available for expenses pursuant to the provisions of the pertinent Acts and Conventions authorizing such representation, including attendance at meetings of societies or associations concerned with the work of the organizations; hire of passenger motor vehicles; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); and purchase of uniforms for guards and chauffeurs: *Provided further*, That the provisions of section 7 of the United Nations Participation Act of 1945, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to the obligation and expenditure of funds in connection with the United States participation in the International Civil Aviation Organization: *Provided further*, That the Department of State, when requested by the United Nations, is authorized to acquire surplus property for the United Nations in accordance with the provisions of the Surplus Property Act of 1944 (58 Stat. 765–784), as amended, with funds hereby appropriated for the United States contribution to the United Nations, and such contribution shall be reduced by the value of the surplus property and necessary expenses, including transportation costs, incidental to the acquisition thereof: *Provided further*, That the amount for United States representation in United Nations shall be available for the furnishing of living quarters for the use of the Representative of the United States at the seat of the United Nations and this shall be accomplished by utilizing the authority contained in the first proviso of the appropriation

41 U. S. C. § 5.

40 Stat. 1270.

59 Stat. 621. 22 U. S. C. § 287e.

Acquisition of surplus property.

50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.* *Post*, pp. 350, 1103.

Living quarters for U. S. representative.

"Salaries and expenses, Foreign Service", in the Department of State Appropriation Act, 1949, with respect to the furnishing of living quarters for the use of the Foreign Service; and for making allotments to the United States Mission to the United Nations to defray the unusual expenses incident to the maintenance of an official residence for the United States Representative to the United Nations in the same manner that such allotments are authorized to Foreign Service Posts by section 902 of the Foreign Service Act of 1946 (22 U. S. C. 1132).

Ante, p. 306.

60 Stat. 1026.

International contingencies: For necessary expenses, without regard to section 3709 of the Revised Statutes, as amended, of participation by the United States upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services in the District of Columbia or elsewhere without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and without regard to the rates of per diem allowances in lieu of subsistence expenses under the Subsistence Expense Act of 1926, as amended; transportation of families and effects under such regulations as the Secretary of State may prescribe; stenographic and other services; rent of quarters by contract or otherwise; hire of passenger motor vehicles; contributions for the share of the United States in expenses of international organizations; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); $3,600,000, of which not to exceed a total of $100,000 may be expended for representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (22 U. S. C. 1131) and for entertainment.

41 U. S. C. § 5.

44 Stat. 688.
5 U. S. C. § 821.

40 Stat. 1270.

60 Stat. 1026.

Post, p. 1047.

International Boundary and Water Commission, United States and Mexico: For expenses necessary to enable the United States to meet its obligations under the treaties of 1884, 1889, 1905, 1906, 1933, and 1944 between the United States and Mexico, and to comply with the Act approved August 19, 1935, as amended (22 U. S. C. 277–277d), including operation and maintenance of the Rio Grande rectification, canalization, flood control, bank protection, boundary fence, and sanitation projects; examinations, preliminary surveys, and investigations; detailed plan preparation and construction (including surveys and operation and maintenance and protection during construction); and Rio Grande emergency flood protection; construction and operation of gaging stations; purchase of map-reproduction machines and other equipment and machinery; personal services in the District of Columbia; services in accordance with section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $100 per diem; travel expenses, including, in the discretion of the Commissioner, expenses (not to exceed $500) of attendance at meetings of organizations concerned with the activities of the International Boundary and Water Commission which may be necessary for the efficient discharge of the responsibilities of the Commission; printing and binding; purchase of nine (four for replacement only) passenger motor vehicles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; purchase of ice and drinking water; inspection of equipment, supplies, and materials by contract; drilling and testing of foundations and dam sites, by contract if deemed necessary, purchase of planographs and lithographs, and leasing of private property to

24 Stat. 1011; 26 Stat. 1512; 35 Stat. 1863; 34 Stat. 2953; 48 Stat. 1621; 59 Stat. 1219.
49 Stat. 660.

60 Stat. 810.

Leasing of private property.

remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), and the Act of August 27, 1935, as amended (22 U. S. C. 277e); as follows:

60 Stat. 843.
Post, p. 1008.

49 Stat. 906.

Salaries and expenses: For salaries and expenses, regular boundary activities, including examinations, preliminary surveys, and investigations, $980,000.

Construction: For detail plan preparation and construction of projects authorized by the Convention concluded February 1, 1933, between the United States and Mexico, the Acts approved August 19, 1935, as amended (22 U. S. C. 277–277d), August 29, 1935 (Public Law 392), June 4, 1936 (Public Law 648), June 28, 1941 (22 U. S. C. 277f), and the projects stipulated in the treaty between the United States and Mexico signed at Washington on February 3, 1944, $1,500,000, to be immediately available, and to remain available until expended: *Provided*, That no expenditures shall be made for the Lower Rio Grande flood-control project for construction on any land, site, or easement in connection with this project except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That expenditures for the Rio Grande bank-protection project shall be subject to the provisions and conditions contained in the appropriation for said project as provided by the Act approved April 25, 1945 (Public Law 40): *Provided further*, That unexpended balances of appropriations for construction under the International Boundary and Water Commission available for the fiscal year 1948 shall be merged with this appropriation and shall continue available until expended.

48 Stat. 1621.

49 Stat. 660, 961, 1463.
55 Stat. 338.

59 Stat. 1219.

Lower Rio Grande flood-control project.

59 Stat. 89

International Boundary and Water Commission.

Rio Grande emergency flood protection: For emergency flood-control work, including protection, reconstruction, and repair of all structures under the jurisdiction of the International Boundary and Water Commission, United States and Mexico, threatened or damaged by floodwaters of the Rio Grande, which have heretofore been authorized and erected under the provisions of treaties between the United States and Mexico, or in pursuance of Federal laws authorizing improvements on the Rio Grande, $100, to be immediately available, to be merged with the unobligated balance of the appropriation for this purpose in the Department of State Appropriation Act, 1948, and to remain available until expended.

61 Stat. 285.

Salaries and expenses, American sections, international commissions: For necessary expenses to enable the President to perform the obligations of the United States under certain treaties between the United States and Great Britain in respect to Canada, including personal services in the District of Columbia; stenographic reporting services by contract; printing and binding; and hire of passenger motor vehicles; as follows: For the International Joint Commission, United States and Canada, under the terms of the treaty between the United States and Great Britain signed January 11, 1909 (36 Stat. 2448), including the salary of one Commissioner on the part of the United States who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefore); salaries of clerks and other employees appointed by the Commissioners on the part of the United States with the approval solely of the Secretary of State; travel expenses and compensation of witnesses in attending hearings of the Commission at such places in the United States and Canada as the Commission or the American Commissioners shall determine to be necessary, $37,560; for special and technical investigations in connection with matters falling within

Post, p. 1047.

International Joint Commission, U. S. and Canada.

the jurisdiction of the International Joint Commission, United States and Canada, including the purchase for replacement only of two passenger automobiles; and the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes set forth in this clause, $124,487; for the International Boundary Commission, United States and Canada and Alaska, under the terms of the treaty between the United States and Great Britain in respect to Canada, signed February 24, 1925 (44 Stat. 2102), including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain; commutation of subsistence to employees while on field duty not to exceed $4 per day each, but not to exceed $3 per day each when a member of a field party and subsisting in camp; hire of freight and passenger motor vehicles from temporary field employees; and for payment for timber necessarily cut in keeping the boundary line clear, $58,853; for the share of the United States of the expenses of the International Fisheries Commission under the convention between the United States and Canada, concluded January 29, 1937 (50 Stat. 1351), $31,500; for the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930 (50 Stat. 1355), $103,100, in all, $355,500, to be disbursed under the direction of the Secretary of State: *Provided*, That sums appropriated for the United States share of the expenses of the International Fisheries Commission and of the International Pacific Salmon Fisheries Commission may, except for the expenses of the members, be advanced to the respective Commissions for the expenses of said Commissions.

Transfer of funds.

International Boundary Commission, U. S. and Canada and Alaska.

International Fisheries Commission.

International Pacific Salmon Fisheries Commission.

Advance of funds.

International information and educational activities: For expenses necessary to enable the Department of State to carry out international information and educational activities as authorized by the United States Information and Educational Exchange Act of 1948 (Public Law 402, approved January 27, 1948), and to administer the program authorized by section 32 (b) (2) of the Surplus Property Act of 1944, as amended (50 U. S. C. app. 1641 (b)), including personal services in the District of Columbia; employment, without regard to the civil-service and classification laws, of persons on a temporary basis (not to exceed $50,000) and aliens within the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946 (22 U. S. C. 801–1158), except title VII and title VIII; expenses of attendance at meetings concerned with activities provided for under this appropriation (not to exceed $6,000); printing and binding; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration and script-writing, by contract or otherwise, acquisition of printed materials, purchase of objects for presentation to foreign governments, schools, or organizations, and information and educational activities outside the continental United States, all without regard to section 3709 of the Revised Statutes; $27,000,000, of which not to exceed $2,500,000 may be transferred to other appropriations of the Department of State: *Provided*, That, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of the international short-wave radio stations and facilities, to agree on behalf of the

Ante, p. 226.

Ante, p. 6.

60 Stat. 754.

60 Stat. 999.

22 U. S. C. §§ 1041–1047, 1061–1116.

60 Stat. 810.

41 U. S. C. § 5.

Transfer of funds.

International short-wave radio stations.

United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That in the acquisition of lease-hold interests payments may be made in advance for the entire term or any part thereof: *Provided further*, That $3,000,000 of this appropriation shall be available, without regard to section 3709 of the Revised Statutes, exclusively for the purchase, construction, and improvement of buildings and facilities, purchase and installation of necessary equipment for radio transmission and reception, and the acquisition of land and interest in land outside the continental United States by purchase, lease, rental, or otherwise, without regard to section 355 of the Revised Statutes, but title to any land so acquired shall be approved by the Secretary of State; and, in addition, the Department of State is hereby authorized to enter into contracts for the purposes specified in this proviso, and under the same conditions, in an amount not to exceed $1,000,000: *Provided further*, That funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee: *Provided further*, That funds appropriated herein shall be available for payment to private organizations abroad in pursuance of contracts entered into for the processing and distribution of motion-picture films.

Indemnification of owners and operators.

Construction, etc., of buildings.
41 U. S. C. § 5.

Acquisition of land.

40 U. S. C. § 255.

Restriction on purchase of broadcasting time.

Processing and distribution of motion-picture films.

Cooperation with the American Republics: For expenses necessary to enable the Secretary of State to meet the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, and to carry out the purposes of the Act entitled "An Act to authorize the President to render closer and more effective the relationship between the American Republics", approved August 9, 1939 (22 U. S. C. 501), and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including the establishment and operation of agricultural and other experiment and demonstration stations in other American countries, on land acquired by gift or lease for the duration of the experiments and demonstrations, and construction of necessary buildings thereon; such expenses to include personal services in the District of Columbia; not to exceed $150,000 for printing and binding; temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not to exceed $5,000 for entertainment; not to exceed $5,000 for expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; and, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American Republics; and the actual expenses of preparing and transporting to their former homes the remains of such persons, not United States Government employees, who may die while away from their homes under the authority of this appropriation: *Provided*, That the Secretary of State is authorized under such regulations as he may adopt, to pay the actual transporta-

51 Stat. 178.

53 Stat. 1290.

Experiment and demonstration stations.

Printing and binding.

60 Stat. 810.

Traveling expenses.

44 Stat. 688.
5 U. S. C. § 821.

Transportation of remains.

Transportation expenses.

tion expenses and not to exceed $10 per diem in lieu of subsistence and other expenses, of citizens of the other American Republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes as amended by the Act of August 2, 1946, Public Law 600; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939; purchase (not to exceed three) and hire of passenger motor vehicles; rental of boats, $4,100,000; and the Secretary of State, or such official as he may designate is hereby authorized, in his discretion, and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American Republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That this appropriation shall be available to make contracts with, and grants of money or property to, nonprofit institutions in the United States and the other American Republics, including the distribution of materials and other services in the fields of education and travel, arts and sciences, publications, the radio, the press, and the cinema.

31 U. S. C. § 529.
60 Stat. 809.
53 Stat. 1290.
22 U. S. C. § 502.
Transfer of funds.
Grants to nonprofit institutions.

Philippine rehabilitation: For expenses necessary to carry out the provisions of titles III and V of the Philippine Rehabilitation Act of 1946 (50 U. S. C. App. 1781–1791, 1801), hereinafter called the Act, without regard, outside the United States, to section 3709 of the Revised Statutes, as amended, including personal services in the District of Columbia, and employment of personnel outside the continental United States without regard to civil-service and classification laws; temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase of nineteen and hire of passenger motor vehicles; hire, maintenance, operation, and repair of aircraft; purchase of health and accident insurance for trainees (for whom such benefits are not otherwise allowed) while in the United States in pursuance of training programs; actual expenses of preparing and transporting to their former homes the remains of trainees who may die while away from such homes under the authority of this Act; advances of funds to trainees, such advancements to be deducted from allowances due to such trainees; not to exceed $28,645 for a health-service program as authorized by law (5 U. S. C. 150); not to exceed $150 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); expenses of attendance at meetings of organizations concerned with the furtherance of the purposes hereof; compilation, printing, and distribution, in the Philippine Islands or the United States, of charts, reports, and publications pertaining to the various programs set forth in the Act; acquisition of sites for the construction of additional buildings, and furnishing and equipping of buildings acquired or constructed, under section 501 of the Act; and acquisition of quarters in the Philippines to house employees of the United States Government, including military personnel, by purchase, rental (without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a)), lease, or construction and necessary repairs and alterations to and maintenance of such quarters; amounts as follows: (a) For carrying out the provisions of sections 302, 303, 304, and 305 of title III of the Act, $18,924,000; and (b) for carrying out sections 306, 307, 308, 309, 310, and 311 of

60 Stat. 135, 140.
Post, p. 1224.
41 U. S. C. § 5.
60 Stat. 810.
Trainees.
60 Stat. 903.
58 Stat. 394.
Post, p. 1049.
40 Stat. 1270.
Acquisition of sites.
60 Stat. 140.
50 U. S. C. app. § 1801.
Acquisition of quarters.
47 Stat. 412.
60 Stat. 135.
50 U. S. C. app. §§ 1782–1785.
Post, p. 1224.

said title III, $2,449,000; in all, $21,373,000, to be available on July 1, 1948, and to remain available until June 30, 1950, and, in addition, the Public Roads Administration, Federal Works Agency, is authorized to enter into contracts for the purposes of section 302 (a) of the Act in an amount not to exceed $14,000,000, and the Philippine War Damage Commission is authorized to incur obligations for the payment of claims for compensation under section 304 of the Act in an amount not exceeding $12,400,000: *Provided*, That this appropriation and the appropriation under this head in the Department of State Appropriation Act, 1948, together with the limitations included in said appropriations, shall be consolidated with the appropriation and limitations under this head in the Third Deficiency Appropriation Act, 1946: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 that would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act, nor shall any part of this appropriation be available for expanding any public works project authorized by law to be replaced or rehabilitated beyond such as may be justified by sound engineering practice and which can be accomplished within the amount authorized to be appropriated: *Provided further*, That the total amount that may be obligated for the entire accomplishment of section 307 (a) of title III of such Act shall not exceed $8,000,000: *Provided further*, That this appropriation shall be available to make contracts with nonprofit institutions in the United States and the Philippines in connection with training programs: *Provided further*, That sums from the foregoing applicable appropriations may be transferred directly to and merged with the appropriations contemplated in section 306 (b) of the Act to reimburse said latter appropriations for expenditures therefrom for the purpose hereof: *Provided further*, That the construction of diplomatic and consular establishments of the United States in the Philippine Islands shall be without regard to the proviso contained in title 22 of the United States Code, section 295a: *Provided further*, That the Secretary of State, or such official as he may designate, is authorized to transfer from any of the foregoing amounts to any department or independent establishment of the Government for participation in the foregoing programs, sums for expenditure by such department or establishment for the purposes hereof, and sums so transferred shall be available for expenditure in accordance with the provisions hereof and, to the extent determined by the Secretary of State, in accordance with the law governing expenditures of the department or establishment to which transferred: *Provided further*, That transfers of funds to participating agencies for the programs set forth in sections 302 to 305 of the Act shall be approved by the President prior to such transfer.

60 Stat. 137.
50 U. S. C. app. §§ 1786–1791.
Post, p. 1225.

60 Stat. 135.
50 U. S. C. app. § 1782 (a).

60 Stat. 136.
50 U. S. C. app. § 1784.

61 Stat. 287.

60 Stat. 621.

Restriction.

60 Stat. 128.
50 U. S. C. app. §§ 1751–1806.
Post, p. 1224.

60 Stat. 137.
50 U. S. C. app. § 1787 (a).
Contracts with nonprofit institutions.

60 Stat. 137.
50 U. S. C. app. § 1786 (b).
Construction of diplomatic, etc., establishments.
22 U. S. C., Supp. I, § 295a note.
52 Stat. 441.
Transfer of funds.

60 Stat. 135.
50 U. S. C. app. §§ 1782–1785.
Post, p. 1224.

GENERAL PROVISIONS—DEPARTMENT OF STATE

SEC. 102. Contracts entered into in foreign countries involving expenditures from any of the appropriations under this title shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).

Contracts in foreign countries.

SEC. 103. The provision of law prescribing the use of vessels of United States registry by any officer or employee of the United States (46 U. S. C. 1241) shall not apply to any travel or transportation of effects payable from funds appropriated, allocated, or transferred to the Secretary of State or the Department of State.

Transportation of effects.
49 Stat. 2015.
46 U. S. C., Supp. I, § 1241 note.

SEC. 104. Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law,

Termination of employment.
5 U. S. C. § 652.
Post, p. 354.

the Secretary of State may, in his absolute discretion, on or before June 30, 1949, terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States.

Exchange of funds.

SEC. 105. The exchange of funds for payment of expenses in connection with the operation of diplomatic and consular establishments abroad shall not be subject to the provisions of section 3651 of the Revised Statutes (31 U. S. C. 543).

Travel expenses.

SEC. 106. Appropriations under this Act available for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel, shall be available for such expenses when any part of such travel or transportation begins in the fiscal year 1949 pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during the fiscal year 1949.

Citation of title.

This title may be cited as the "Department of State Appropriation Act, 1949".

Department of Justice Appropriation Act, 1949.

TITLE II—DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

60 Stat. 903.

For personal services in the District of Columbia, including a health service program as authorized by law (5 U. S. C. 150), and for special attorneys and special assistants to the Attorney General as follows:

For the offices of the Attorney General, Solicitor General, Assistant to the Attorney General, Assistant Solicitor General, Pardon Attorney, Board of Immigration Appeals, and Board of Parole, $770,000.

For the Administrative Division, $1,150,000.

For the Tax Division, $875,000.

For the Criminal Division, $750,000.

For the Claims Division, $1,550,000.

Special assistants to Attorney General.

Not to exceed $250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

42 Stat. 1488. 5 U. S. C. §§ 661-674.

Contingent expenses: For miscellaneous and emergency expenses authorized or approved by the Attorney General or his Administrative Assistant, including stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), a health service program as authorized by law (5 U. S. C. 150), purchase of one passenger motor vehicle for replacement only, and examination of estimates of appropriation in the field; $220,000.

60 Stat. 810.
60 Stat. 903.

Traveling expenses: For necessary traveling expenses not otherwise provided for, $145,000.

Printing and binding: For printing and binding, $550,000.

Penalty mail: For deposit in the Treasury for penalty mail (39 U. S. C. 321d), $108,000.

58 Stat. 394.
Post, p. 1049.

Damage claims: For payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $5,000.

60 Stat. 843.
Post, p. 1008.

Salaries and expenses, Customs Division: For necessary expenses, including travel expenses and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant, $187,000.

Salaries and expenses, Antitrust Division: For expenses necessary

for the enforcement of antitrust and kindred laws, including traveling expenses, services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and personal services in the District of Columbia, $3,411,700, of which $125,000 shall be available exclusively for activities in connection with railroad reparations cases: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division.

60 Stat. 810.

Permanent regional offices.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of reporters, referees, and trustees of such courts; travel expenses; $109,000, to be expended under the direction of the Attorney General.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and for other necessary expenses, including travel expenses, services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) and notarial fees or like services, $2,350,000.

60 Stat. 810.

Miscellaneous salaries and expenses, field: For salaries not otherwise specifically provided for, and such other expenses for the field service, including travel expenses, a health service program as authorized by law (5 U. S. C. 150), temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and notarial fees or like services; firearms and ammunition therefor; $545,000.

60 Stat. 903.
60 Stat. 810.

Salaries and expenses of district attorneys, and so forth: For salaries, travel, and other expenses of United States district attorneys, their regular assistants and other employees, including the office expenses of United States district attorneys in Alaska, $5,200,000.

Compensation of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys not otherwise provided for, employed by the Attorney General to aid in special matters and cases, and for payment of foreign counsel employed by the Attorney General in special cases, $100,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed $10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each, together with a description of their duties.

Foreign counsel.

Salary limitation.

Reports to Congress.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals, deputy marshals, and clerical assistants, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; meals and lodging for deputy marshals in attendance upon juries when ordered by the court; traveling expenses, including the actual and necessary expenses incident to the transfer of prisoners in the custody of United States marshals to narcotic farms; purchase of five (for replacement only) station wagons, busses, and vans at not to exceed $5,000 each; $5,310,000, of which amount not to exceed $100,000 shall be available for the employment of temporary deputy marshals, in lieu of bailiffs, at a rate not to exceed $10 per day.

Services in Alaska.

Transfer of prisoners to narcotic farms.

Temporary deputy marshals.

Fees of witnesses: For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), $625,000: *Provided*, That not to exceed $50,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General or his Administrative Assistant, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day: *Provided further*, That whenever an employee of the United States performs travel in order to appear as a witness on behalf of the United States in any case involving the activity in connection with which such person is employed, his travel expenses in connection therewith shall be payable from the appropriation otherwise available for the travel expenses of such employee.

Post, p. 993.

Authorization by Attorney General.

Limitation on attendance fee.

Travel expenses of Federal employees.

FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For expenses necessary for the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; including personal services in the District of Columbia; a health service program as authorized by law (5 U. S. C. 150); purchase of five hundred (for replacement only) and hire of passenger motor vehicles; purchase at not to exceed $10,000, for replacement only, of one armored motor vehicle; firearms and ammunition; not to exceed $150,000 for the acquisition or construction of buildings and facilities, including repairs and alterations, at the Federal Bureau of Investigation Training Center, Quantico, Virginia; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including expenses, in an amount not to exceed $4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed $3,000 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; $43,900,000: *Provided*, That the compensation of the Director of the Bureau shall be $14,000 per annum so long as the position is filled by the present incumbent: *Provided further*, That of the amount herein appropriated $100,000 is to be held as a reserve for emergencies arising in connection with kidnaping, extortion, bank robbery, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

Protection of the President.

60 Stat. 903.

FBI Training Center, Quantico, Va.

Travel expenses.

Rewards for information.

Emergencies of confidential character.

Compensation of Director.

Reserve for certain emergencies.

Civil-service employees.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration; personal services in the District of Columbia; a health service program as authorized by law (5 U. S. C. 150); care, detention, maintenance, transportation, and other expenses incident to the deportation, removal, and exclusion of aliens in the United States and to, through, or in foreign countries; advance of cash to aliens for meals and lodging while en route; payment of allowances (at a rate not in excess of $1 per day) to aliens, while held in custody under the immigration laws, for work performed; payment of rewards for information leading to the apprehension or conviction of violators of the immigration laws; traveling expenses, including not to exceed $5,000 for attendance at meetings concerned with the purposes of this appropriation; purchase for replacement only of one hundred and twenty-five and hire of passenger motor vehicles; purchase (not to exceed four), maintenance, and operation of aircraft; firearms and ammunition; citizenship textbooks for free distribution; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; stenographic reporting services by contract as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; and for all necessary expenses incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including transportation and other expenses in the return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General; $27,150,000: *Provided*, That the Commissioner of Immigration and Naturalization may contract with officers and employees for the use, on official business, of privately owned horses: *Provided further*, That provisions of law prohibiting or restricting the employment of aliens in the Government service shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

Post, p. 1041.

60 Stat. 903.

Payment of allowances to aliens.

60 Stat. 810.

Alien enemies.

Use of privately owned horses.

Interpreters.

FEDERAL PRISON SYSTEM

Salaries and expenses, Bureau of Prisons: For salaries and travel expenses in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, $400,000: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Salaries and expenses, penal and correctional institutions: For expenses necessary for the support of prisoners, and the maintenance and operation of Federal penal and correctional institutions and the construction of buildings at prison camps, interment or transporting remains of deceased inmates to their relatives or friends in the United States, transporting persons released from custody of the United States to place of conviction or arrest or place of bona fide residence within the United States or to such place within the United States as may be authorized by the Attorney General, and the furnishing

of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed $30, regardless of length of sentence; including purchase of fifteen passenger motor vehicles; purchase of one bus at not to exceed $5,000; purchase of one large bus at $25,000 for replacement only; not to exceed $10,000 for expenses of attendance at meetings concerned with the work of the Federal Prison System when authorized in writing by the Attorney General; traveling expenses; furnishing of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; not to exceed $35,000 for the acquisition of land adjacent to any Federal penal or correctional institution when, in the opinion of the Attorney General, the additional land is essential to the protection of the health or safety of the institution; firearms and ammunition; purchase and exchange of farm products and livestock; $17,800,000: *Provided*, That section 3709 of the Revised Statutes, as amended, shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed $500: *Provided further*, That collections in cash for meals, laundry, barber service, uniform equipment, and any other items for which payment is made originally from appropriated funds, may be deposited in the Treasury to the credit of the appropriation for maintenance and operation of the institutions.

Motor vehicles.

Acquisition of land.

41 U. S. C. § 5.

Credit in appropriation.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia and furnishing and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties; $1,497,000: *Provided*, That there may be transferred to the Public Health Service such amounts as may be necesary, in the discretion of the Attorney General for direct expenditure by that Service.

Transfer of funds.

Construction of buildings and facilities: For construction, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions and all necessary expenses incident thereto, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, $298,000.

U. S. prisoners in non-Federal institutions and in Alaska.

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid; expenses of transporting persons released from custody of the United States to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General, and the furnishing to them of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed $30, regardless of length of sentence; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their capture; and for repairs, betterments, and improvements of United States jails, including sidewalks; $1,650,000.

46 Stat. 326.
Post, p. 866.

OFFICE OF ALIEN PROPERTY

Office of Alien Property: The Attorney General, or such officer as he may designate, is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him pursuant to or with respect to the Trading with the Enemy Act of October 6, 1917, as amended (50 U. S. C. App.), necessary expenses incurred in carrying out the powers and duties conferred on the Attorney General pursuant to said Act: *Provided*, That not to exceed $4,100,000 shall be available for the entire fiscal year 1949 for the general administrative expenses of the Office of Alien Property, including the salary of the Director of the Office at $10,000 per annum; printing and binding; not to exceed $5,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); rent of private or Government-owned space in the District of Columbia; not to exceed $70,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); personal services in the District of Columbia; a health service program as authorized by law (5 U. S. C. 150), and traveling expenses, including attendance at meetings of organizations concerned with the work of the Office: *Provided further*, That on or before November 1, 1948, the Attorney General shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1948, in connection with the activities of the Office of Alien Property: *Provided further*, That of the total amount herein authorized the amount of $50,000 is to be transferred to the Administrative Division, Department of Justice.

40 Stat. 411.
50 U. S. C. app. § 1; Supp. I, § 4 *et seq.*
Post, pp. 1218, 1246.
Administrative expenses.

58 Stat. 394.
Post, p. 1049.

60 Stat. 810.

60 Stat. 903.

Report to Congressional committees.

Transfer of funds.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 202. None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

License requirement for attorneys.

SEC. 203. Sixty per centum of the expenditures for the offices of the United States district attorney and the United States marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.

Reimbursement to U. S.
Post, p. 545.

SEC. 204. In the procurement of lawbooks, books of reference, and periodicals, the Department of Justice is authorized to exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor.

Exchange of books, etc.

This title may be cited as the "Department of Justice Appropriation Act, 1949".

Citation of title.

TITLE III—DEPARTMENT OF COMMERCE

Department of Commerce Appropriation Act, 1949.
Post, p. 1038.

OFFICE OF THE SECRETARY

Salaries and expenses: For necessary expenses of the Office of the Secretary of Commerce (hereafter in this title referred to as the Secretary) including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not to exceed $50 per diem; and teletype news service (not exceeding $1,000); $1,025,000.

Post, pp. 322, 326, 1039.

60 Stat. 810.

Printing and binding: For printing and binding for the Department, except for technical and scientific services in the Office of the Secretary and for the Patent Office, the Civil Aeronautics Board, and

Post, pp. 325, 1039.

work done at the field printing plants of the Weather Bureau authorized by the Joint Committee on Printing, in accordance with the Act of March 1, 1919 (44 U. S. C. 111, 220), $1,200,000.

40 Stat. 1270.

Technical and scientific services: For necessary expenses in the performance of activities and services relating to the collection, compilation, and dissemination of technological information as an aid to business in the development of foreign and domestic commerce, including personal services in the District of Columbia; not to exceed $10,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and not to exceed $20,000 for printing and binding, $200,000, of which $8,000 shall be transferred to the appropriation "Salaries and expenses" under the Office of the Secretary: *Provided*, That the Secretary is authorized, upon request of any public or private organization or individual, to reproduce by appropriate process, independently or through any other agency of the Government, any scientific or technical report, document, or descriptive material, foreign or domestic, which has been released for public dissemination, and to sell such reproductions at a price not less than the estimated total cost of reproducing and disseminating same as may be determined by the Secretary, the moneys received from such sale to be deposited in a special account in the Treasury, such account to be available for reimbursing any appropriation which may have borne the expense of such reproduction and dissemination and making refunds to organizations and individuals when entitled thereto.

60 Stat. 810.
Ante, p. 321.
Scientific or technical reports, etc.

Penalty mail, Department of Commerce: For deposit in the Treasury for penalty mail of the Department of Commerce, except the Civil Aeronautics Board (39 U. S. C. 321d), $590,000.

58 Stat. 394.
Post, p. 1049.

BUREAU OF THE CENSUS

Salaries and expenses, age and citizenship certification: For expenses necessary for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, and other statutory requirements with respect to age and citizenship certification, including personal services at the seat of government, travel, microfilm, binding records, and photographic supplies, $102,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary and the Social Security Administration.

49 Stat. 620.
42 U. S. C. §§ 301–1336; Supp. I, § 303 *et seq.*
Ante, p. 195; *post*, p. 438.
Procedure for furnishing evidence of age.

Current census statistics: For expenses necessary for collecting, compiling, and publishing current census statistics provided for by law; temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; the cost of obtaining State, municipal, and other records; preparation of monographs on census subjects and other work of specialized character by contract; purchase, construction, repair, and rental of mechanical and electrical tabulating equipment and other labor-saving devices; tabulating cards and continuous form tabulating paper; $5,100,000.

Temporary employees.
42 Stat. 1488.
5 U. S. C. §§ 661–674.

Seventeenth decennial census: For expenses necessary to prepare for the taking of the seventeenth decennial census in accordance with law (13 U. S. C. 201–219), including personal services at the seat of government; printing and binding; and personal services by contract or otherwise at rates to be fixed by the Director of the Census without regard to the Classification Act; $2,676,000, to remain available until June 30, 1950: *Provided*, That transfers may be made from this appropriation to the appropriation "General administration, Bureau of the Census".

46 Stat. 21.
42 Stat. 1488.
5 U. S. C. §§ 661–674.
Transfer of funds.

General administration, Bureau of the Census: For expenses necessary for general administration, including temporary employees at

Post, p. 1038.
Temporary employees.

rates to be fixed by the Director of the Census without regard to the Classification Act; tabulating cards and continuous form tabulating paper; $725,000.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

CIVIL AERONAUTICS ADMINISTRATION

Post, pp. 324, 1039.

Salaries and expenses: For necessary expenses of the Civil Aeronautics Administration in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), and other Acts incident to the enforcement of safety regulations; maintenance and operation of air navigation facilities and air traffic control; furnishing advisory service to States and other public and private agencies in connection with the construction or improvement of airports and landing areas; and the disposal of surplus airports; including personal services in the District of Columbia; hire of aircraft (not exceeding $395,000); the operation and maintenance of two hundred and twenty-six aircraft, but not more than eighty-five Government-owned aircraft shall be maintained or operated by the Civil Aeronautics Administration after September 30, 1948; contract stenographic reporting services; fees and mileage of expert and other witnesses; examination of estimates of appropriations in the field; purchase (not to exceed one hundred and fifty) and hire of passenger motor vehicles; purchase and repair of skis and snowshoes; and salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or other organizations serving aviation; $82,451,000, and the Departments of the Air Force, Army and Navy, are authorized to transfer to the Civil Aeronautics Administration without charge aircraft engines, parts, flight equipment, and hangar, line, and shop equipment surplus to the needs of such Departments: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, and other public authorities for expenses incurred in the maintenance and operation of airport traffic control towers: *Provided further*, That the War Assets Administrator, acting for and on behalf of the Reconstruction Finance Corporation, is authorized and directed to transfer to the United States without reimbursement or transfer of funds, legal title to a certain tract of land and improvements thereon at Los Angeles, California, covered by lease dated January 1, 1947, between the Civil Aeronautics Administration and the Reconstruction Finance Corporation and heretofore designated by that Corporation as Plancor 890 and declared surplus to the needs of that Corporation, and to transfer such property to the control and jurisdiction of the Federal Works Agency (Public Buildings Administration): *Provided further*, That the Civil Aeronautics Administration is authorized to transfer to the Departments of the Air Force, Army and Navy, without charge, aircraft, aircraft engines, parts, flight equipment and hangar line and shop equipment.

52 Stat. 973.
49 U. S. C. § 401 *et seq.*; Supp. I, § 421 *et seq.*
Post, pp. 470, 493, 1093, 1216.

Operation and maintenance of aircraft.

Motor vehicles.

Transfer of aircraft, etc.

Crediting of funds from States, etc.

Transfer of surplus property.

Transfer of aircraft, etc.

Establishment of air-navigation facilities: For the acquisition and establishment by contract or purchase and hire of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; the acquisition of the necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Civil Aeronautics Administration and the Weather Bureau stationed at remote localities not on foreign soil where such accommodations are not otherwise available; personal services in the District of Columbia; and purchase (not to exceed fifteen) and hire of passenger motor vehicles; $10,099,000, and, in

Post, p. 1038.

addition, the Civil Aeronautics Administration is authorized to enter into contracts and incur obligations for purposes contained in this paragraph in an amount not exceeding $12,000,000: *Provided*, That the consolidated appropriation under this head for the fiscal year 1948 is hereby consolidated with and made a part of this appropriation to be disbursed and accounted for as one fund and to remain available until June 30, 1949: *Provided further*, That not to exceed $200,000 of this appropriation shall be available for emergency repair and replacement of facilities damaged by fire, flood, or storm, not to exceed $125,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration", for necessary expenses in connection with the transportation by air to and from and within the Territories and possessions of the United States of materials and equipment secured under this appropriation, and not to exceed $578,000 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration," for necessary administrative costs; and the Departments of the Army, Navy, and Air Force are authorized during the fiscal year 1949 to transfer without charge, subject to the approval of the Bureau of the Budget, air navigation and communication facilities, including appurtenances thereto, to the Civil Aeronautics Administration.

Availability of funds.
61 Stat. 296.

Emergency repairs, etc.

Transfer of funds.
Ante, p. 323.

Ante, p. 323.

Transfer of facilities.

Technical development: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relative to such developmental work and service testing as tends to the creation of improved air-navigation facilities, including landing areas, aircraft, aircraft engines, propellers, appliances, personnel, and operation methods, and personal services in the District of Columbia; acquisition of necessary sites by lease or grant; purchase of two passenger motor vehicles for replacement only and operation and maintenance of five aircraft; $1,800,000.

52 Stat. 973.
49 U. S. C. § 401 *et seq.*; Supp. I, § 421 *et seq.*
Post, pp. 470, 493, 1093, 1216.

Maintenance and operation, Washington National Airport: For expenses incident to the care, operation, maintenance, and protection of the Washington National Airport, including not to exceed $2,900 for the purchase, cleaning, and repair of uniforms, and arms and ammunition; $1,185,000; and the Departments of the Air Force, Army and Navy, are authorized to transfer to the Administrator without payment therefor such equipment as is commonly used in ground operation at airports for use of the Washington National Airport.

Washington National Airport.

Transfer of equipment.

Construction, Washington National Airport: For an additional amount for an extension to the Terminal Building, acquisition of land necessary for and planning of an access road to the airport, the installation of additional paving to facilitate the loading and unloading of aircraft, and the repair of hangar roofs, $1,835,000, to remain available until expended.

Federal-aid airport program, Federal Airport Act: For carrying out the provisions of the Federal Airport Act of May 13, 1946 (except section 5 (a)), $3,000,000, and in addition, the Civil Aeronautics Administration is authorized until June 30, 1953 to enter into contracts and incur obligations for purposes of this paragraph in an amount not exceeding $37,000,000, of which $36,500,000 shall be for projects in the States in accordance with sections 5 (b) and 6 of said Act, and $500,000 shall be for projects in Hawaii and Puerto Rico in accordance with section 5 (c): *Provided*, That the amount of $3,000,000 appropriated herein shall be available as one fund for necessary planning, research, and administrative expenses; including personal services in the District of Columbia; and hire of passenger motor vehicles; of which $3,000,000 not to exceed $223,500 may be transferred to the appropriation "Salaries and expenses, Civil Aeronautics Administration", to provide for necessary administrative expenses, including

60 Stat. 170, 172.
49 U. S. C. §§ 1101–1119.
Ante, p. 173; *post*, p. 1111.

60 Stat. 172, 173.
49 U. S. C. §§ 1104 (b), 1105, 1104 (c).

Planning, research, etc.

Transfer of funds.
Ante, p. 323.

the maintenance and operation of aircraft, and $18,000 may be transferred to the appropriation "Printing and binding, Department of Commerce": *Provided further*, That the appropriation under this head for the fiscal year 1948 is hereby merged with this appropriation.

Ante, p. 321.
61 Stat. 297.

CIVIL AERONAUTICS BOARD

Civil Aeronautics Board, salaries and expenses: For necessary expenses of the Civil Aeronautics Board, including personal services in the District of Columbia; contract stenographic reporting services; employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes, as amended; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; expenses of examination of estimates of appropriations in the field; not to exceed $12,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); purchase (not to exceed five, of which four shall be for replacement only) and hire of passenger motor vehicles, and purchase of one and hire, operation, maintenance, and repair of aircraft; $3,400,000: *Provided*, That hereafter the salary of the Chairman of the Board shall be at the rate of $12,000 per annum and the salaries of the other members of the Board shall be at the rate of $11,500 per annum.

41 U. S. C. § 5.

58 Stat. 394.
Post, p. 1049.

Salary of Chairman.

Printing and binding: For printing and binding, $50,000.

COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For expenses necessary to carry out in the District of Columbia the provisions of the Act of August 6, 1947 (Public Law 373), including the purchase of maps and nautical and aeronautical charts; maintenance of an instrument shop and procurement or exchange of metal working and woodworking supplies and equipment; motion-picture equipment; chart paper, drafting, photographic, photolithographic, and printing supplies and equipment; instruments (except surveying instruments); and stationery for field use; $3,400,000, of which not to exceed $3,100,000 shall be available for personal services.

61 Stat. 787.
33 U. S. C., Supp. I, §§ 883a-883i.

Salaries and expenses, field: For expenses necessary to carry out in the field the provisions of the Act of August 6, 1947 (Public Law 373), including the operation and maintenance of ships and other field units; replacement of observatories and auxiliary buildings where necessary; purchase of plans and specifications of vessels; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; construction of magnetic and seismological observatory and auxiliary buildings at Fairbanks, Alaska; operation, maintenance, and repair of an airplane for photographic surveys; packing, crating, and transporting personal household effects of commissioned officers when transferred from one official station to another, and of commissioned officers who die on active duty, and funeral expenses of commissioned officers, as authorized by law; and extra compensation at not to exceed $15 per month to each member of the crew of a vessel when assigned duties as bomber or fathometer reader, and at not to exceed $1 per day for each station to employees of other Federal agencies while observing tides or currents or tending seismographs; $5,600,000.

61 Stat. 787.
33 U. S. C., Supp. I, §§ 883a-883i.
Field units.

Bombers or fathometer readers.

Employees of other agencies.

Pay, commissioned officers: For pay and allowances prescribed by law for not to exceed one hundred and seventy-one commissioned officers on the active list and of officers retired in accordance with existing law, including payment of six months' death gratuity as authorized by law, $1,255,000.

Death gratuity.

The foregoing appropriations for the Coast and Geodetic Survey

Vehicles.

shall be available for the purchase of not to exceed fifteen vehicles known as station wagons and suburban carry-alls, of which five shall be for replacement only, and (not to exceed $2,500) for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).

60 Stat. 810.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Post, p. 1039.

Departmental salaries and expenses: For personal services and other necessary expenses of the Bureau of Foreign and Domestic Commerce at the seat of government, including the purchase of commercial and trade reports, and not to exceed $50,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $4,500,000, of which $190,000 shall be transferred to the appropriation "Salaries and expenses" under the Office of the Secretary: *Provided*, That expenses, except printing and binding, of field studies or surveys conducted by departmental personnel of the Bureau shall be payable from the amount herein appropriated: *Provided further*, That $25,000 shall be available exclusively to carry out a study of hard fibers and hard fiber products.

60 Stat. 810.

Transfer of funds.
Ante, p. 321; *post*, p. 1039.

Study of hard fibers and hard fiber products.

Post, p. 1039.

Field office service: For expenses necessary to operate and maintain regional, district, and cooperative branch offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, including not to exceed $90,000 for personal services in the District of Columbia, $2,100,000.

PATENT OFFICE

Post, p. 1040.

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and the salary of the Commissioner at $10,000 per annum; temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not to exceed $75 per diem (not to exceed $25,000); expenses of transporting to foreign governments publications of patents issued by the Patent Office; defense of suits instituted against the Commissioner of Patents; travel; and other contingent expenses of the Patent Office: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography; $8,285,000.

60 Stat. 810.

Multigraphing of headings.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, exclusive of illustrations; printing, engraving illustrations for, and binding the Official Gazette, including weekly and annual indices; and for miscellaneous printing and binding, $1,500,000.

NATIONAL BUREAU OF STANDARDS

For expenses necessary in carrying out the provisions of the Act approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271–278), and Acts supplementary thereto affecting the functions of the Bureau and the functions set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", including personal services in the District of Columbia; rental of laboratories in the field; building of temporary experimental structures; expenses of the visiting committee; demonstration of the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchase, repair, and cleaning of uniforms for guards; purchase of not to exceed five passenger motor vehicles, of which three shall be for replacement only; not to exceed $100,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and purchase of reprints from trade journals or other periodicals of articles prepared officially by Government employees, as follows:

31 Stat. 1449.

48 Stat. 652.

60 Stat. 810.

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; maintenance and protection of buildings, including repairs and alterations thereto; $1,350,000.

Research and testing: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; the solutions of problems arising in connection with standards; cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; encouragement of the application of the latest developments in the utilization and standardization of building materials; the development of engineering and safety codes, simplified practice recommendations, and commercial standards of quality and performance; and the compilation of and dissemination of scientific and technical data; $4,120,000.

Radio propagation and standards: For development and maintenance of primary standards of measurement of electrical quantities at radio frequencies; calibrating and certifying radio measuring instruments, apparatus, and standards in terms of the national primary standards; investigation of the phenomena affecting the propagation of radio waves; the broadcasting of radio signals of standard frequency; the compilation and dissemination of scientific and technical data relating to the propagation of radio waves, and measurement of electrical quantities at radio frequencies, $3,000,000.

Scientific and technical data.

WEATHER BUREAU

Salaries and expenses: For expenses necessary for carrying into effect in the United States and possessions, on ships at sea, and elsewhere when directed by the Secretary, the provisions of sections 1 and 3 of an Act approved October 1, 1890 (15 U. S. C. 311–313), the Act approved October 29, 1942 (15 U. S. C. 323), section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603) as amended (49 U. S. C. 603), and section 308 of an Act approved April 30, 1946 (50 U. S. C. 1788), including investigations of atmospheric phenomena; cooperation with other public agencies and societies and institutions of learning; personal services at the seat of government; purchase of seven passenger motor vehicles, of which three shall be for replacement only; maintenance, operation, and repair of aircraft; repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; the erection of temporary buildings for living and working quarters of observers; telephone rentals, and telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary by agreement with the companies performing the service; purchase of

Ante, p. 286; *post*, p. 1040.

26 Stat. 653.

56 Stat. 1012.
15 U. S. C., Supp. I, § 323.
52 Stat. 1014.
60 Stat. 138.
50 U. S. C. app. § 1788.

Maintenance of aircraft, etc.

tabulating cards and continuous form tabulating paper; and establishment, equipment, and maintenance of meteorological offices and stations; $21,880,000, of which not to exceed $10,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee; and not to exceed $10,000 for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau: *Provided further*, That not to exceed $25,000 of this appropriation may be expended for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a): *Provided further*, That in the conduct of meteorological investigations in the Arctic region, pursuant to the Act of February 12, 1946 (15 U. S. C. 313a), the funds herein appropriated shall be available for the appointment of employees at rates to be fixed by the Chief of the Weather Bureau without regard to the civil-service laws and Classification Act and titles II and III of the Federal Employees Pay Act of 1945, but the maximum base rate of pay shall not be in excess of $7,500 per annum and at no time more than five employees shall be in a pay status at such rate of pay, and no other employees shall receive in excess of the base rate of pay of $5,000 per annum; the furnishing of food, shelter, and protective clothing and equipment, without repayment therefor, to employees of the Government assigned to Arctic stations; and the Departments of the Air Force, Army and Navy, are authorized in the fiscal year 1949, subject to the approval of the Bureau of the Budget, to transfer without charge to the Weather Bureau materials, equipment, and supplies, surplus to their needs and necessary for the establishment, maintenance, and operation of Arctic weather stations.

International Meteorological Committee.

Printing office.

60 Stat. 810.
Investigations in Arctic region.
60 Stat. 4.

42 Stat. 1488.
5 U. S. C. §§ 661–674.
59 Stat. 296–298.
5 U. S. C. §§ 911–913, 921, 922; Supp. I, § 922 note.

Subsistence supplies.

Transfer of surplus equipment.

Extra compensation at not to exceed $5 per day may be paid to employees of other Government agencies in Alaska, and in other Territorial possessions for taking and transmitting meteorological observations for the Weather Bureau.

Employees of other agencies.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 302. The appropriations "Salaries and expenses, Civil Aeronautics Administration"; "Salaries and expenses", Civil Aeronautics Board; and "Salaries and expenses", Weather Bureau, shall be available in an amount not to exceed $10,000 under regulations to be prescribed by the Secretary, for furnishing to employees of the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Weather Bureau in Alaska and other areas outside the United States where determined necessary by the Secretary free emergency medical services by contract or otherwise and medical supplies, and for the purchase, transportation, and storage of food and other subsistence supplies for resale to such employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resale; and appropriations of the Civil Aeronautics Administration and the Weather Bureau shall be available in an amount not to exceed $20,000 for furnishing food, clothing, medicines, and other supplies for the temporary relief of distressed persons in remote localities, reimbursement for such relief to be in accordance with regulations prescribed by the Secretary.

Free emergency medical services, Alaska, etc.
Ante, pp. 323, 325, 327.

Credit of proceeds from resales.

Report to Congress.

Relief of distressed persons.

SEC. 303. The appropriations of the Department of Commerce available for salaries and expenses shall be available for health programs as authorized by law (5 U. S. C. 150), and for the payment

60 Stat. 903.

of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

60 Stat. 843.
Post, p. 1008.

SEC. 304. Appropriations of the Department of Commerce available for salaries and expenses shall be available for attendance at meetings of organizations concerned with the activities for which the appropriations are made.

Attendance at meetings.

SEC. 305. During the fiscal year 1949 officers and employees of the Department of Commerce having special scientific or other technical or professional qualifications may be detailed to the Government of any foreign country under the same terms and conditions as provided in the Act of May 25, 1938, as amended (5 U. S. C. 118e), for detail of employees of the United States to the foreign Governments specified in said Act.

Detail to foreign countries.

52 Stat. 442.
Ante, p. 13.

This title may be cited as the "Department of Commerce Appropriation Act, 1949".

Citation of title.

TITLE IV—THE JUDICIARY

Judiciary Appropriation Act, 1949.

UNITED STATES SUPREME COURT

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, $786,600.

Printing and binding: For printing and binding for the Supreme Court of the United States, $8,500, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses: For miscellaneous expenses to be expended as the Chief Justice may approve, including purchase of one passenger motor vehicle, $45,100, of which amount not to exceed $1,600 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).

58 Stat. 394.
Post, p. 1049.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a–13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; special clothing for workmen; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with sections 3709, as amended, and 3744 of the Revised Statutes (41 U. S. C. 5, 16); $175,700.

48 Stat. 668.
Post, p. 990.

OTHER FEDERAL COURTS

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

Reimbursements to U. S.
Post, p. 545.

Repairs and improvements, District Court of the United States for the District of Columbia: For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $5,300, to be expended under the direction of the Architect of the Capitol.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment and for labor and material and every item incident thereto, $2,500, to be expended under the direction of the Architect of the Capitol.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries and expenses: For salaries of the presiding judge, four associate judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, $177,400: *Provided*, That not to exceed $180 of this appropriation shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).

58 Stat. 394.
Post, p. 1049.

UNITED STATES CUSTOMS COURT

Salaries and expenses: For salaries of the presiding judge, eight judges, and all other officers and employees of the court, and necessary expenses of the court, including exchange of books, traveling expenses, and printing and binding, as may be approved by the presiding judge, $356,400: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge: *Provided further*, That not to exceed $500 of this appropriation shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).

Traveling expenses.

58 Stat. 394.
Post, p. 1049.

COURT OF CLAIMS

Salaries and expenses: For salaries of the chief justice, four judges, seven regular and five additional commissioners, and all other officers and employees of the court, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930, and as also amended by an Act approved July 1, 1944; and necessary expenses of the court including traveling expenses, and printing and binding; $432,000: *Provided*, That not to exceed $500 of this appropriation shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).

46 Stat. 799.
28 U. S. C. § 275a.
Post, pp. 1000, 1003.

58 Stat. 663.
41 U. S. C. § 114.

58 Stat. 394.
Post, p. 1049.

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, $7,100.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, $106,500.

52 Stat. 591.
28 U. S. C. §§ 375g, 375h.
Post, p. 1005.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of

Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930, $4,575,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Retired judges.
36 Stat. 1161.
28 U. S. C. § 375.
Post, p. 996.
46 Stat. 737.
19 U. S. C. § 6.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, $3,758,000.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Clerks' offices.
Restriction on use of funds.

Detail of employees.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act approved June 6, 1930 (18 U. S. C. 726), $1,700,000: *Provided*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

46 Stat. 503.
Post, p. 866.
Appointment, etc., of probation officers.

Failure to carry out Attorney General's orders.

Salaries of criers: For salaries of criers as authorized by the Act of December 7, 1944 (28 U. S. C. 9), and the Acts of March 3, 1911, and March 3, 1891, as amended (28 U. S. C. 224 and 547), $468,000.

58 Stat. 796.
Post, p. 1007.
36 Stat. 1133; 26 Stat. 829.
Post, pp. 996, 994.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, $475,000.

Post, p. 862.

49 Stat. 1327.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362); and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court; $1,430,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of section 1401, title 11 of the District of Columbia Code, but such compensation shall not exceed $250 each per annum.

Jury commissioners.

41 Stat. 558.
D. C. Code, Supp. VI, § 11-1401.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, $1,844,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other

Secretaries and law clerks.
59 Stat. 295.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1268.

Acts of similar purport subsequently enacted) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF–4), senior (CAF–5), or principal (CAF–6) clerical grade, or assistant (CAF–7), or associate (CAF–8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P–1), assistant (P–2), associate (P–3), full (P–4), or senior (P–5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other Acts of similar purport subsequently enacted) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed $6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed $7,500.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

Aggregate salaries.

59 Stat. 295.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1268.

Miscellaneous expenses (other than salaries): For miscellaneous expenses of the United States courts and their officers; purchase of firearms and ammunition; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed $72,000 for deposit in the Treasury for penalty mail for the United States courts and the Administrative Office of the United States Courts (31 U. S. C. 321d); $600,000.

39 U. S. C. § 355.

58 Stat. 394.
39 U. S. C. § 321d.
Post, p. 1049.

Traveling expenses: For necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, $607,000: *Provided*, That this sum shall be available, in an amount not to exceed $6,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts.

Attendance at meetings.

Printing and binding: For printing and binding for the Administrative Office and Courts of the United States, $85,800.

Printing and binding: For printing and binding the advance opinions, preliminary prints, and bound reports of the Supreme Court of the United States, $91,200.

Salaries, court reporters: For salaries of court reporters for the district courts of the United States, as authorized by the Act of January 20, 1944 (28 U. S. C. 9a–d), $865,000.

58 Stat. 5.
Post, pp. 996, 1007.

Salaries of referees: For salaries of referees as authorized by the Act of June 28, 1946 (11 U. S. C. 68), $170,000, together with $614,000 to be derived from the referees' salary fund established in pursuance of said Act.

60 Stat. 326.

Miscellaneous expenses of referees: For miscellaneous expenses of referees, United States courts, including the salaries of their clerical assistants, travel expenses, and printing and binding; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed $40,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); $150,000, together with $654,000 to be derived from the referees' expense fund established in pursuance of the Act of June 28, 1946 (11 U. S. C. 68 (c) (4)).

39 U. S. C. § 355.

58 Stat. 394.
Post, p. 1049.

60 Stat. 327.

Any surplus arising in the referees' salary and expense funds for the fiscal year 1948 shall remain available until June 30, 1949, for the payment of salaries and expenses of referees within the limitations prescribed hereinbefore.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Salaries and expenses: For necessary expenses of the Administrative Office of the United States Courts, including personal services in the District of Columbia, travel, advertising, rent in the District of Columbia and elsewhere, and examination of estimates for appropriations in the field, $430,000.

GENERAL PROVISIONS—THE JUDICIARY

"Circuit court of appeals."

"Senior circuit judge."

"Circuit judge."

"Judge."

SEC. 402. As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the chief justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

U. S. Court of Appeals for D. C., reports.

Marking of books.

SEC. 403. The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than $6.50 per volume: *Provided*, That all books purchased hereunder for United States judges and other judicial officers shall be marked plainly "The Property of the United States", and such books shall in all cases be transmitted to their successors in office.

Citation of title.

This title may be cited as the "Judiciary Appropriation Act 1949".

TITLE V—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 501. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 502. This Act may be cited as the "Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1949".

Approved June 3, 1948.

[CHAPTER 401]

AN ACT

June 3, 1948
[H. R. 5839]
[Public Law 598]

To authorize the conveyance to States, or political subdivisions, of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes.

Roads leading to national parks, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the the Secretary of the Interior is authorized in his discretion, subject to such conditions as may seem to him proper, to convey by proper quitclaim deed to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled road leading to any national cemetery, national military park, national historical park, national battlefield park, or national historic site administered by the National Park Service. Prior to the delivery of any conveyance under this Act, the State, county, or municipality to which the conveyance herein authorized is to be made shall notify the Secretary of the Interior in writing of its willingness to accept and maintain the road or roads included in such conveyance. Upon the excution and delivery of any conveyance herein authorized, any jurisdiction heretofore ceded to the United States by a State over the roads conveyed shall thereby cease and determine and shall thereafter vest and be in the particular State in which such roads are located.

"State."

SEC. 2. The word "State" as used in this Act includes Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

Approved June 3, 1948.

[CHAPTER 402]

AN ACT

June 3, 1948
[H. R. 5870]
[Public Law 599]

To amend the Act of May 16, 1946 (Public Law 383, Seventy-ninth Congress), as amended, to provide increased allowances for the escorts of repatriated war dead.

Return of remains of certain persons buried outside U. S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 16, 1946, entitled "An Act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States" (Public Law 383, Seventy-ninth Congress), as amended by the Act of August 5, 1947 (Public Law 368, Eightieth Congress), is further amended by adding the following sections:

60 Stat. 182; 61 Stat. 779.
50 U. S. C., Supp. I, app. §§ 1811-1819.

Allowances for escort personnel.

"SEC. 10. The Secretary of the Army is further authorized to prescribe allowances at such rates as may be necessary to provide for adequate quarters, subsistence, and other necessary incidental expenses for escort personnel utilized in the administration of this Act without regard to rates and allowances presented prescribed by sections 10 and 12 of the Act of June 16, 1942, as amended: *Provided*, That such allowances prescribed by the Secretary of the Army in no case shall exceed $8 per day.

56 Stat. 363, 364.
37 U. S. C. §§ 16a, 110, 112; Supp. I, §§ 16a note, 110.

"SEC. 11. References in any of the foregoing sections of this Act to the 'Secretary of War' shall be construed to refer to the 'Secretary of the Army', as established by the Act of July 26, 1947 (Public Law 253, Eightieth Congress)."

61 Stat. 501.
5 U. S. C., Supp. I, § 181-1.

Approved June 3, 1948.

[CHAPTER 403]

AN ACT

Relating to the issuance of reentry permits to certain aliens.

June 3, 1948
[H. R. 5922]
[Public Law 600]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act of May 26, 1924 (43 Stat. 158; U. S. C., title 8, sec. 210 (a)–210 (f)), is amended by adding a new subsection thereto to be known as subsection (g), and to read as follows:

Immigration Act of 1924, amendment.

"(g) An alien lawfully admitted to the United States, pursuant to clause 6, section 3, of this Act, between July 1, 1924, and July 5, 1932, both dates inclusive, who since entry has maintained the status required of him at the time of his admission and who desires to visit abroad and return to the United States to resume the status existing at time of his departure for such visit, may apply to the Commissioner of Immigration and Naturalization for a Treaty-Merchants Return Permit which may be issued by the Commissioner, with the approval of the Attorney General, if he finds that the applicant is entitled thereto. Such a permit shall, in the possession of persons to whom issued, be accepted in lieu of any visa otherwise required from nonimmigrants under this Act or section 30 of the Alien Registration Act of 1940 (54 Stat. 673; 8 U. S. C. 451). Each permit shall be valid for a period therein designated not exceeding one year, but may be extended for good cause shown to the satisfaction of the Commissioner of Immigration and Naturalization, for a period or periods not exceeding six months each. For the issuance of any such permit or any extension thereof there shall be paid to the Commissioner of Immigration and Naturalization a fee of $3, which shall be covered into the Treasury as miscellaneous receipts. The necessary forms and other requirements to effect the purposes of this subsection shall be prescribed by regulations of the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Subsection (e) shall be applicable to this subsection."

Treaty-Merchants Return Permit.
43 Stat. 155.
8 U. S. C. § 203 (6).

Valid period.

Fee.

43 Stat. 158.
8 U. S. C. § 210 (e).

Approved June 3, 1948.

[CHAPTER 404]

AN ACT

To amend an Act entitled "An Act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia", approved January 6, 1893, as amended.

June 3, 1948
[H. R. 6209]
[Public Law 601]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia", approved January 6, 1893, as amended, is hereby amended with respect to the number of trustees authorized therein and the method of providing for a quorum of such trustees, by adding at the end of the first section the following paragraph:

Protestant Episcopal Cathedral Foundation, D. C.
27 Stat. 414.

"The present board of trustees of said corporation is hereby authorized to choose additional trustees, so that the board shall hereafter consist of such number of trustees as the board may from time to time determine, not exceeding a total of thirty, which board as hereafter constituted shall succeed to and exercise all of the powers heretofore granted to the board as heretofore constituted, subject to all of the provisions and limitations in such Act, as amended, and shall be authorized to fill any vacancies which may occur and to prescribe, by bylaws, such number as shall constitute a quorum to do business."

Additional trustees.

Approved June 3, 1948.

[CHAPTER 415]

AN ACT

June 4, 1948
[H. R. 3731]
[Public Law 602]

Authorizing modifications in the repayment contracts with the Lower Yellowstone Irrigation District Numbered 1 and the Lower Yellowstone Irrigation District Numbered 2.

Lower Yellowstone Irrigation Districts Nos. 1 and 2.
53 Stat. 1192.
43 U. S. C. § 485g.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, pursuant to section 8 of the Act of August 4, 1939 (53 Stat. 1187), is authorized (a) to enter into appropriate amendatory repayment contracts with Lower Yellowstone Irrigation District Numbered 1 and Lower Yellowstone Irrigation District Numbered 2 for the purpose of effecting changes, modifications, and financial adjustments in the existing district repayment contracts and (b) to make appropriate adjustment of project accounts, all consistent with the provisions of this Act.

Changes in repayment contracts.

SEC. 2. With respect to the Lower Yellowstone Irrigation District Numbered 1:

(a) Payment of construction charges against one thousand three hundred and forty and four one-hundredths acres of lands classified under the Act of May 25, 1926, as productive and found to be possessed of insufficient productive power to be continued in a paying class shall be suspended until the Secretary of the Interior shall declare them to be possessed of sufficient productive power properly to be placed in the paying class, whereupon payment of construction charges against such areas shall be resumed. While said lands are so classified as temporarily unproductive, and the construction charges against them are suspended, water for irrigation purposes may be furnished upon payment of the usual operation and maintenance charges or such other charges as may be fixed by the Secretary of the Interior, the advance payment of which may be required in the discretion of the said Secretary. Should said lands temporarily classed as unproductive, or any of them in the future, be found by the Secretary of the Interior to be permanently unproductive, the charges against them shall be charged off as a permanent loss to the reclamation fund;

44 Stat. 640.
Temporarily unproductive land.

Permanently unproductive land.

(b) The charges in the amount of $12,166 against two hundred and twenty and thirty-six one-hundredths acres of lands classified in a paying class under the Act of May 25, 1926, and found to be permanently unproductive shall be deducted from the contractual obligation of said Lower Yellowstone Irrigation District Numbered 1;

44 Stat. 640.

Contractual obligation.

(c) The contractual obligation of Lower Yellowstone Irrigation District Numbered 1 shall, by reason of a finding that four hundred and fifty-two and ninety-six one-hundredths acres of lands previously classed as permanently unproductive, possess sufficient productive power properly to be placed in a paying class, be increased in the sum of $25,008; and

Construction charges.

(d) The construction charges against four hundred and sixty-two and eighty-seven one-hundredths acres of lands included in drain and lateral right-of-way and found to be excluded from the irrigable area of the project shall be included in the principal obligation of the district, but said lands are to be relieved of future assessment by the district.

SEC. 3. With respect to the Lower Yellowstone Irrigation District Numbered 2:

Temporarily unproductive land.

(a) Payment of construction charges against six hundred and sixty-two and ninety one-hundredths acres of lands classified under the Act of May 25, 1926, as productive and found to be possessed of insufficient productive power to be continued in a paying class shall be suspended until the Secretary of the Interior shall declare them to be possessed of sufficient productive power properly to be placed in the paying class, whereupon payment of construction charges against such areas

44 Stat. 640.

shall be resumed. While said lands are so classified as temporarily unproductive, and the construction charges against them are suspended, water for irrigation purposes may be furnished upon payment of the usual operation and maintenance charges or such other charges as may be fixed by the Secretary of the Interior, the advance payment of which may be required in the discretion of the said Secretary. Should said lands temporarily classed as unproductive, or any of them in the future, be found by the Secretary of the Interior to be permanently unproductive, the charges against them shall be charged off as a permanent loss to the Reclamation Fund;

Permanently unproductive land.

(b) The charges in the amount of $911 against sixteen and fifty one-hundredths acres of lands classified in a paying class under the Act of May 25, 1926, and found to be permanently unproductive shall be deducted from the contractual obligation of said Lower Yellowstone Irrigation District Numbered 2;

44 Stat. 640.

Contractual obligation.

(c) The contractual obligation of Lower Yellowstone Irrigation District Numbered 2 shall, by reason of a finding that one hundred and eighty-two and twenty-two one-hundredths acres of lands previously classed as permanently unproductive, possess sufficient productive power properly to be placed in a paying class, be increased in the sum of $10,060; and

Construction charges.

(d) The construction charges against four hundred and thirty-one and thirty-eight one-hundredths acres of lands included in drain and lateral right-of-way and found to be excluded from the irrigable area of the project shall be included in the principal obligation of the district, but said lands shall be relieved of future assessment by the district.

Effective dates.

SEC. 4. The contractual modifications provided for in this Act shall be effective, as to Lower Yellowstone Irrigation District Numbered 1, as of September 19, 1945, and, as to Lower Yellowstone Irrigation District Numbered 2, as of October 31, 1945.

Approved June 4, 1948.

[CHAPTER 416]

AN ACT

June 4, 1948
[H. R. 3785]
[Public Law 603]

To authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes.

Cass County, Minn.
Fish propagation, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Minnesota is hereby authorized to acquire by condemnation under judicial process for use in the construction, operation, and maintenance of fish-rearing ponds, a fish hatchery, and other facilities for fish propagation and culture, the following-described lands owned by the United States and located in Cass County, Minnesota:

That part of the southwest quarter, section 25, township 146 north, range 27 west, described as follows:

Beginning at a point on the south line of said section 25, fifty-four feet east of the southwest corner of said section 25; thence northeasterly along a line parallel to and one hundred and fifty feet distant from the center line of State Aid Road Numbered 9 to an intersection of the center line of the present channel of the Mississippi River as reconstructed and improved below the Lake Winnibigoshish Federal Dam; thence down the center line of the said channel of the Mississippi River to an intersection of the south line of said section 25; thence west along the south line of said section 25 to point of beginning, containing twenty-seven and thirty-two one-hundredths acres, more or less; and

That part of the north two thousand feet of section 36, township 146 north, range 27 west, lying southwesterly of the center line of the present channel of the Mississippi River as reconstructed and improved and northerly and easterly of the following-described line:

Beginning at the northwest corner of said section 36; thence southerly along the west line of said section 36 three hundred and eighty feet; thence south thirty-seven degrees twenty-seven minutes east, containing one hundred twenty-four and fourteen one-hundredths acres, more or less; and

That part of the northeast quarter of section 35, township 146 north, range 27 west, described as follows:

Beginning at the northeast corner of said section 35; thence southerly along the east line of said section 35 three hundred and eighty feet; thence north thirty-seven degrees twenty-seven minutes west to the center line of State Aid Road Numbered 9; thence northeasterly along center line of State Aid Road Numbered 9 to an intersection of the north line of said section 35; thence easterly along the north line of said section 35, to the point of beginning, containing one and twenty-five one-hundredths acres, more or less.

Jurisdiction.

SEC. 2. (a) The United States District Court for the District of Minnesota shall have jurisdiction of the proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings for such condemnation shall conform, as near as may be, to the practice, pleading, forms, and proceedings in like cases in the courts of record in the State of Minnesota.

Rights reserved to U. S.

(b) The Secretary of the Army, the Secretary of the Interior, and the Secretary of Agriculture may, respectively, by appropriate pleadings in the condemnation proceedings, specify any rights, easements, or other interests in said lands which they deem advisable to reserve to the United States for any purpose under authority pertaining to said lands as prescribed by laws now in force, and thereupon the condemnation shall be subject to such reservations.

Expenses.

(c) All expenses incurred as a result of such condemnation proceedings as may be instituted by the State of Minnesota under this Act shall be borne by the State.

Approved June 4, 1948.

[CHAPTER 417]

June 4, 1948
[H. R. 4823]
[Public Law 604]

AN ACT

To provide adequate school facilities within Yellowstone National Park, and for other purposes.

Yellowstone National Park.
School facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, under such regulations as may be prescribed by the Secretary of the Interior, payments may be made, as provided herein, in advance or otherwise, from any revenues received by the United States from visitors to Yellowstone National Park, to the appropriate school district or districts serving that park, as reimbursement for educational facilities (including, where appropriate, transportation to and from school) furnished by the said district or districts to pupils who are dependents of persons engaged in the administration, operation, and maintenance of the park, and living at or near the park upon real property of the United States not subject to taxation by the State or local agencies and upon which payments in lieu of taxes are not made by the United States: *Provided*, That the payments for any school year for the aforesaid purpose shall not exceed that part of the cost of operating and maintaining such facilities which the number of pupils, in average daily attendance during that year, bears to the whole number of pupils in average daily attendance at those schools for that year.

SEC. 2. That, if in the opinion of the Secretary of the Interior, the aforesaid educational facilities cannot be provided adequately and payment made therefor on a pro rata basis, as prescribed in section 1 of this Act, the Secretary of the Interior, in his discretion, may enter into cooperative agreements with States or local agencies for (a) the operation of school facilities, (b) for the construction and expansion of local facilities at Federal expense, and (c) for contribution by the Federal Government, on an equitable basis satisfactory to the Secretary, to cover the increased cost to local agencies for providing the educational services required for the purposes of this Act. Cooperative agreements with States, etc.

SEC. 3. For the purposes of this Act, the Secretary of the Treasury is authorized to maintain hereafter in a special fund a sufficient portion of the park revenues, based upon estimates to be submitted by the Secretary of the Interior, and to expend the same upon certification by the Secretary of the Interior. Special fund.

Approved June 4, 1948.

[CHAPTER 418]

AN ACT

To establish a District of Columbia Armory Board, and for other purposes.

June 4, 1948
[H. R. 5874]
[Public Law 605]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress that the District of Columbia National Guard Armory shall be maintained and operated primarily to provide facilities for the quartering and training of the Militia of the District of Columbia, and, secondarily, to provide suitable facilities for major athletic events, conventions, concerts, and such other activities as may be in the interest of the District of Columbia, and that such armory shall be operated as nearly as practicable on a self-supporting basis. D. C. Armory Board.

SEC. 2. There is hereby established an Armory Board, to be composed of the President of the Board of Commissioners of the District of Columbia, the Commanding General of the District of Columbia Militia, and a third person not employed by the Federal or District Governments who shall be appointed by the Chairmen of the District of Columbia Committees of the United States Senate and the United States House of Representatives for a term of three years. Each member of the Armory Board is authorized to appoint, and in his discretion to withdraw the appointment of, an alternate and to delegate to such alternate authority to act in his place and stead in respect of the powers granted by this Act. The members of said Board and their alternates shall serve without additional compensation. Said Armory Board shall elect a chairman from among its members. Establishment; composition. Alternates.

SEC. 3. For the purposes of this Act, said Armory Board is vested with the control of and jurisdiction over the District of Columbia National Guard Armory. For the purposes of maintenance and repair the armory shall be under the control and jurisdiction of the Commissioners of the District of Columbia. Jurisdiction.

SEC. 4. Upon the request of the Armory Board the Secretary of the Interior shall provide for the use of said Board, under such arrangements for improvement, lighting and maintenance as may be agreed upon between the Secretary of the Interior and said Board, such areas of land adjacent to the Armory and under the control of the Secretary of the Interior as said Board deems adequate for motor vehicle parking purposes. Parking areas.

SEC. 5. The Armory Board shall set aside for the exclusive use of the militia of the District of Columbia such parts of the headquarters and regimental buildings and basement of the drill hall, and such of Use of armory by militia.

the storage rooms contiguous to the drill hall as shown upon drawing A–3, first-floor plan, approved by the Commissioners April 19, 1940, as said Armory Board may from time to time find are necessary for the use of the militia. The parts of the armory so set aside for the use of the militia shall be under the control and jurisdiction of the commanding general of the militia for all purposes except maintenance and repair of the armory. The drill hall and those parts of the armory not set aside for the exclusive use of the militia shall be available to the militia under schedules for joint use made by the Armory Board so as to carry out the purposes and intent of this Act.

SEC. 6. In order to carry out the secondary purposes of this Act the Armory Board is hereby authorized, without regard to any other provisions of law—

(a) to determine all questions concerning the use of said armory for the secondary purposes of this Act;

(b) to enter into contracts and agreements with District of Columbia and Federal departments, bureaus, establishments, and offices and the provisions of the Act of March 4, 1915, as amended (U. S. C., 1940 edition, Supp. V, title 31, sec. 686), are hereby made applicable to such contracts;

38 Stat. 1084.
31 U. S. C. § 686.

Acquisition of equipment, etc.

(c) to acquire by purchase or lease equipment, appliances, facilities, and property of any kind necessary or desirable to carry out the secondary purposes of this Act, and to sell or dispose of any such property so acquired by said Board when in its judgment it shall be advantageous to do so: *Provided*, That no contract for more than $3,000 shall be entered into for this purpose without competitive bidding;

Restriction.

Installations, etc.

(d) to erect structures or installations in all of such parts of the armory as are not required exclusively for military purposes, and to make such structural and other changes in any such structures as it may deem necessary or desirable for carrying out the secondary purposes of this Act: *Provided*, That nothing in this Act shall authorize or permit the erection of any structure which in the opinion of the Commanding General of the District of Columbia Militia will lessen the availability of the armory for military purposes;

(e) to prepare, maintain, light, and operate motor-vehicle parking lots on such land as is provided for that purpose by the Secretary of the Interior under the terms of section 4 of this Act;

Ante, p. 339.

Concessions.

(f) to operate or contract for the operation of, such concessions, including the checking of clothing and the sale of nonalcoholic beverages and food, as the said Board may deem appropriate to the purposes for which the armory may be leased: *Provided*, That the said Board may at its discretion, and with the approval of the Commanding General of the District of Columbia Militia, grant the concession for nonalcoholic beverages and food to the canteen of the District of Columbia Militia, whenever in the opinion of said Board such action shall be for the public interest;

(g) to furnish such services to renters, lessees, and other occupants of the armory as in its judgment are necessary or suitable for carrying out the secondary purposes of this Act;

Rent, etc., of armory.

(h) to rent or lease from time to time, for any of the secondary purposes of this Act, all or any part or parts of the armory not set aside for the exclusive use of the Militia of the District of Columbia in compliance with section 5 of this Act, including any or all structures, equipment, or facilities of the armory, at such rental values as the Armory Board shall determine to be fair with respect to the interests of the District of Columbia, and for such

Ante, p. 339.

periods of time as the Armory Board may determine, subject to cancellation when the public interest requires: *Provided*, That every lease or rental agreement which includes therein any period of time not covered by the schedules furnished under the provisions of section 5 of this Act shall be binding and effective only when the Commanding General of the District of Columbia Militia has endorsed his approval thereon in writing;

Liability insurance.

(i) to carry public liability insurance protecting the interests of the District of Columbia, the Commissioners of the District of Columbia, the District of Columbia Militia, the Commanding General of the District of Columbia Militia, the Armory Board, and the members, officers, and employees thereof; and to require tenants or lessees of the armory to carry public-liability insurance protecting the interests of such tenants or lessees;

(j) to incur obligations not in excess of $50,000 at any one time in furtherance of the secondary purposes of this Act, and not in excess of $10,000 above the unobligated excess in the Armory Board Working Capital Fund; and

(k) to accept the gratis services of such persons as may volunteer to aid in the conduct of its activities.

Operation of canteen.

SEC. 7. Nothing contained in this Act shall be construed as a limitation upon the operation of a canteen in the said armory for the use and benefit of the District of Columbia Militia, and any funds derived from the operation of such canteen shall inure to the benefit of the said District of Columbia Militia.

Working capital fund.

SEC. 8. There is hereby created an Armory Board working capital fund in the amount of $50,000, and there shall be deposited in the Treasury of the United States to the credit of the said Armory Board working capital fund all receipts derived from the exercise by the Armory Board of the powers granted by this Act. Said Armory Board working capital fund, including all receipts credited thereto, shall be used as a permanent revolving fund for all expenses incurred by the Armory Board in the exercise of the powers granted by this Act, including personal services. There shall also be transferred to said Armory Board working capital fund all revenues derived from rentals of the District of Columbia National Guard Armory under contracts made between July 1, 1947, and the date of enactment of this Act, except revenues resulting from the operation of concessions, and the Secretary of the Treasury is authorized to transfer to the credit of the Armory Board working capital fund authorized by this Act funds resulting from rental of the District of Columbia National Guard Armory received by him and held in escrow pending enactment of legislation. As soon as practicable after the close of each fiscal year, after provision has been made for payment of all lawful obligations then incurred, all sums in excess of $50,000 in said Armory Board working capital fund shall be transferred to the general revenues of the District of Columbia.

Transfer of funds.

Expenditures.

Expenditures from such fund may be made only upon vouchers which have been certified by said Armory Board and which have been approved before payment by the Auditor of the District of Columbia, and shall be disbursed in the same manner as other District of Columbia funds are disbursed: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Armory Board, upon requisitions previously approved by the Auditor of the District of Columbia sums of money not to exceed $1,000 at any one time, to be used for office and sundry expenses of the Armory Board. There is hereby authorized to be appropriated annually such sum as may be required to supply any deficiency in the Armory Board working capital fund. Revenues resulting from the operation of concessions within the District of Columbia National Guard Armory under contracts made between July 1, 1947, and the date of enactment of this

Advance of funds.

Appropriation authorized.

Transfer of funds.

Act which have been held by the District of Columbia National Guard pending enactment of legislation are hereby transferred to the canteen fund of the District of Columbia National Guard.

Manager.

SEC. 9. The Armory Board is authorized to employ and fix the compensation and term of a manager and such personnel as may be necessary in connection with the operation of the armory for the secondary purposes of this Act without regard to the provisions of the civil-service laws and Classification Act of 1923, as amended, and without regard to any prohibition against double salaries contained in any other law. Under the direction of the Board and with written authorization signed by the members thereof, said manager may exercise such of the powers vested in the Board by section 6 of this Act as the Board shall determine.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

Ante, p. 340.

Report to Congress.

SEC. 10. The Armory Board shall file with the Congress in January of each year a financial statement certified as to accuracy by the Auditor of the District of Columbia, a report of the activities and business at the armory during the preceding fiscal year, and recommendations to the Congress as to the future control and use of the armory.

Approved June 4, 1948.

[CHAPTER 419]

AN ACT

June 4, 1948
[H. R. 6659]
[Public Law 606]

To continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

Second War Powers Act, 1942, amendment.

61 Stat. 322.
50 U. S. C., Supp. I, app. § 645 (b).

Ante, p. 58.

Repeal.

Nitrogenous fertilizer materials, etc.

61 Stat. 323.
50 U. S. C., Supp. I, app. § 645 (c).
Ante, p. 58.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1501 of the Second War Powers Act, 1942, as amended by the Second Decontrol Act of 1947 (Public Law 188, Eightieth Congress), and as further amended by the Act of February 28, 1948 (Public Law 427, Eightieth Congress), is hereby amended by striking out "May 31, 1948" and inserting in lieu thereof "June 30, 1949". Subsection (b) (1) (C) of such section 1501 is hereby repealed. Subsection (b) (1) (E) of such section 1501 is hereby amended by inserting before the semicolon at the end thereof a comma and the following: "and nitrogenous compounds (including anhydrous ammonia), in any form, necessary for the manufacture and delivery of the nitrogenous fertilizer materials required for such export: *Provided, however*, That 50 per centum of the export requirements of nitrogenous fertilizer materials to nonoccupied areas shall be supplied out of nitrogenous fertilizer materials or nitrogenous compounds (including anhydrous ammonia) produced in plants operated by or for the Department of the Army, and notwithstanding any other provision of law the Department of the Army is authorized to produce and sell such nitrogenous fertilizer materials and nitrogenous compounds (including anhydrous ammonia) to fill such 50 per centum of such export requirements". Subsection (c) of such section 1501 is hereby amended by striking out "May 31, 1948" and inserting in lieu thereof "June 30, 1949".

Effective date.

56 Stat. 177.
50 U. S. C. app. § 633; Supp. I, § 633 note.

SEC. 2. The provisions of this Act shall take effect as of the close of May 31, 1948, and all regulations, orders, directives, directions, requirements, and delegations issued under title III of the Second War Powers Act, 1942, as amended, which were in effect on May 31, 1948, shall be in effect in the same manner and to the same extent as if this Act had been enacted on May 31, 1948, and any proceeding, petition, application, or appeal which was pending on May 31, 1948, under such title III, as amended, or under any regulation, order, direc-

tive, or direction issued thereunder, shall be proceeded with and shall be effective in the same manner and to the same extent as if this Act had been enacted on May 31, 1948: *Provided*, That in any case in which such title III, as amended, or any regulation, order, directive, direction, or requirement issued thereunder, prescribes any period of time within which any act is required or permitted to be done, and such period had commenced but had not expired on May 31, 1948, such period is hereby extended for a number of days equal to the number of days from June 1, 1948, to the date of the enactment of this Act, both inclusive: *Provided further*, That no act or transaction, or omission or failure to act, occurring subsequent to May 31, 1948, and prior to the date of enactment of this Act, shall, by reason of the enactment of this Act, be deemed to be a violation of such title III, as amended, or of any regulation, order, directive, or direction issued thereunder.

56 Stat. 177.
50 U. S. C. app. § 633; Supp. I, § 633 note.

Approved June 4, 1948.

[CHAPTER 420]

JOINT RESOLUTION

To provide for the issuance of a special postage stamp series in honor of volunteer firemen.

June 4, 1948
[H. J. Res. 339]
[Public Law 607]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor of volunteer firemen and in commemoration of the three hundredth anniversary of the volunteer firemen service in the United States of America, the Postmaster General is hereby authorized and directed to issue as soon as practicable in 1948 a special postage stamp series of the denomination of 3 cents and of such design and for such period as he may determine.

Volunteer firemen. Commemorative stamp.

Approved June 4, 1948.

[CHAPTER 421]

JOINT RESOLUTION

To authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska.

June 4, 1948
[H. J. Res. 341]
[Public Law 608]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska.

Fort Kearney, Nebr. Commemorative stamp.

Approved June 4, 1948.

[CHAPTER 422]

JOINT RESOLUTION

To authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City.

June 4, 1948
[H. J. Res. 371]
[Public Law 609]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1948, a special 5-cent air mail postage stamp, of such design as he shall prescribe, in commemoration of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City.

Boroughs of New York City. Commemorative stamp.

Approved June 4, 1948.

[CHAPTER 423]

AN ACT

June 5, 1948
[S. 2256]
[Public Law 610]

Relating to the meat-inspection service of the Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the cost of inspection rendered on and after July 1, 1948, under the requirements of laws relating to Federal inspection of meat and meat food products shall be borne by the United States except the cost of overtime pursuant to the Act of July 24, 1919 (7 U. S. C. 394).

41 Stat. 241.

Approved June 5, 1948.

[CHAPTER 424]

AN ACT

June 8, 1948
[H. R. 3638]
[Public Law 611]

To amend section 10 of the Act establishing a National Archives of the United States Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934 (44 U. S. C. 300j), is hereby amended by inserting immediately after the words "books and maps;" the words "payment in advance when authorized by the Archivist for library memberships in societies whose publications are available to members only or to members at a price lower than to the general public;".

48 Stat. 1124.

Approved June 8, 1948.

[CHAPTER 425]

AN ACT

June 8, 1948
[H. R. 5965]
[Public Law 612]

To amend paragraph 813 of the Tariff Act of 1930.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 813 of schedule 8 of the Tariff Act of 1930 is amended to read as follows:

Tariff Act of 1930, amendment.

"PAR. 813. Notwithstanding any other provision of this Act, the duties imposed on beverages in this schedule which are subject also to internal revenue taxes shall be imposed only on the quantities subject to such taxes."

46 Stat. 640.
19 U. S. C. § 1001, par. 813.

SEC. 2. This amendment shall be effective as to all such merchandise entered, or withdrawn from warehouse, for consumption on or after the day following the date of the enactment of this Act and shall apply also to any such merchandise entered or withdrawn before that day with respect to which the liquidation of the entry or withdrawal, the exaction, or the decision as to dutiable quantity has not become final by reason of section 514, Tariff Act of 1930.

46 Stat. 734.
19 U. S. C. § 1514.

Approved June 8, 1948.

[CHAPTER 426]

AN ACT

June 8, 1948
[H. R. 6242]
[Public Law 613]

To continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap.

Duties on scrap iron, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 13, 1942, entitled "An Act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap", as amended (Public Law 497,

Seventy-seventh Congress; 56 Stat. 171; Public Law 384, Eightieth Congress), is hereby amended by striking out "June 30, 1948" and inserting in lieu thereof "June 30, 1949".

61 Stat. 917.
19 U. S. C., Supp. I, § 1001 note.

Approved June 8, 1948.

[CHAPTER 427]

JOINT RESOLUTION

June 8, 1948
[H. J. Res. 384]
[Public Law 614]

To permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Incorporated, Atlantic City, New Jersey, to be admitted without payment of tariff, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Incorporated, an international exposition, to be held at Atlantic City, New Jersey, from June 26 to September 11, 1948, inclusive, by the International Industrial Exposition, Incorporated, a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Industrial Exposition, Incorporated, a corporation, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in

International Industrial Exposition, Inc., Atlantic City, N. J.
Importation of articles.

Sale of articles.

Articles withdrawn.

Marking requirements.

Abandonment of articles.

Articles in customs custody.

Sole consignee; expenses.

connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the International Industrial Exposition, Incorporated, a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C. 1940 edition, title 19, sec. 1524).

Deposit of receipts.

46 Stat. 741.
19 U. S. C. § 1524.

Approved June 8, 1948.

[CHAPTER 428]

June 9, 1948
[H. R. 6071]
[Public Law 615]

AN ACT

To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes.

Sexual psychopaths, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

INDECENT EXPOSURE

SEC. 101. Section 9 of the Act of July 29, 1892, entitled "An Act for the preservation of the public peace and the protection of property within the District of Columbia", as amended (D. C. Code, 1940 edition, sec. 22–1112), is hereby amended by inserting "(a)" before "That it shall not be lawful" and by adding at the end thereof the following new subsection:

27 Stat. 324.
D. C. Code, Supp. VI, § 22-1112.

"(b) Any person or persons who shall make any obscene or indecent exposure of his or her person or their persons, as described in subsection (a), knowing he or she or they are in the presence of a child under the age of sixteen years, shall be punished by imprisonment of not more than six months, or fined in amount not to exceed $500."

IMMORALITY—INVITING FOR PURPOSE OF, PROHIBITED

SEC. 102. The first section of the Act of August 15, 1935, entitled "An Act for the suppression of prostitution in the District of Columbia" (D. C. Code, 1940 edition, sec. 22–2701) is hereby amended to read as follows:

49 Stat. 651.

"That it shall not be lawful for any person to invite, entice, persuade, or to address for the purpose of inviting, enticing, or persuading any person or persons sixteen years of age or over, in or upon any avenue, street, road, highway, open space, alley, public square, enclosure, public building or other public place, store, shop, or reservation or at any public gathering or assembly in the District of Columbia, to accompany, go with, or follow him or her to his or her residence, or to any other house or building, enclosure, or other place, for the purpose of prostitution, or any other immoral or lewd purpose, under a penalty of not more than $100 or imprisonment for not more than ninety days, or both. And it shall not be lawful for any person to invite, entice, or persuade, or address for the purpose of inviting, enticing, or persuading any such person or persons from any door, window, porch, or portico of any house or building to enter any house, or go with, accompany, or follow him or her to any place whatever, for the purpose of prostitution, or any other immoral or lewd purpose, under the like penalties herein provided for the same conduct in the streets, avenues, roads, highways, or alleys, public squares, open spaces, enclosures, public buildings or other public places, stores, shops, or reservations or at any public gatherings or assemblies."

Penalty.

INDECENT ACTS—CHILDREN

SEC. 103. (a) Any person who shall take, or attempt to take any immoral, improper, or indecent liberties with any child of either sex, under the age of sixteen years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child, or who shall commit, or attempt to commit, any lewd or lascivious act upon or with the body, or any part or member thereof, of such child, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child shall be imprisoned in a penitentiary, not more than ten years.

Penalty.

(b) Any such person who shall, in the District of Columbia, take any such child or shall entice, allure, or persuade any such child, to any place whatever for the purpose either of taking any such immoral, improper, or indecent liberties with such child, with said intent or of committing any such lewd, or lascivious act upon or with the body, or any part or member thereof, of such child with said intent, shall be imprisoned in the penitentiary not more than five years.

(c) Consent by a child to any act or conduct prescribed by subsection (a) or (b) shall not be a defense, nor shall lack of knowledge of the child's age be a defense.

(d) The provisions of this section shall not apply to the offenses covered by section 104 of this Act or by section 808 of the Act of March 3, 1901, entitled "An Act to establish a code of law for the District of Columbia", as amended and supplemented (D. C. Code, 1940 edition, sec. 22–2801).

Infra.

31 Stat. 1322.

SODOMY

SEC. 104. (a) Every person who shall be convicted of taking into his or her mouth or anus the sexual organ of any other person or animal, or who shall be convicted of placing his or her sexual organ in the mouth or anus of any other person or animal, or who shall be convicted of having carnal copulation in an opening of the body except sexual parts with another person, shall be fined not more than $1,000 or be imprisoned for a period not exceeding ten years. Any person convicted under this section of committing such act with a person under the age of sixteen years shall be fined not more than $1,000 or be imprisoned for a period not exceeding twenty years. And in any indictment for the commission of any of the acts, hereby declared to be offenses, it shall not be necessary to set forth the particular unnatural or perverted sexual practice with the commission of which the defendant may be charged, nor to set forth the particular manner in which said unnatural or perverted sexual practice was committed, but it shall be sufficient if the indictment set forth that the defendant committed a certain unnatural and perverted sexual practice with a person or animal, as the case may be: *Provided*, That the accused, on motion, shall be entitled to be furnished with a bill of particulars, setting forth the particular acts which constitute the offense charged.

Penalty.

Bill of particulars.

(b) Any penetration, however slight, is sufficient to complete the crime specified in this section. Proof of emission shall not be necessary.

TITLE II

DEFINITIONS

SEC. 201. For the purposes of this title—

(1) The term "sexual psychopath" means a person, not insane, who by a course of repeated misconduct in sexual matters has evidenced

"Sexual psychopath."

such lack of power to control his sexual impulses as to be dangerous to other persons because he is likely to attack or otherwise inflict injury, loss, pain, or other evil on the objects of his desire.

"Court." (2) The term "court" means the District Court of the United States for the District of Columbia, the criminal branch of the municipal court for the District of Columbia, or the juvenile court of the District of Columbia, as the case may be.

"Patient." (3) The term "patient" means a person with respect to whom there has been filed with the clerk of any court a statement in writing setting forth facts tending to show that such person is a sexual psychopath.

"Criminal proceeding." (4) The term "criminal proceeding" means a proceeding in any court against a person for a criminal offense, and includes all stages of such a proceeding from (A) the time the person is indicted, charged by an information, or charged with an offense in the juvenile court of the District of Columbia, to (B) the entry of judgment, or, if the person is granted probation, the completion of the period of probation.

FILING OF STATEMENT

SEC. 202. (a) Whenever it shall appear to the United States attorney for the District of Columbia that any person within the District of Columbia, other than a defendant in a criminal proceeding, is a sexual psychopath, such attorney may file with the clerk of the District Court of the United States for the District of Columbia a statement in writing setting forth the facts tending to show that such person is a sexual psychopath.

(b) Whenever it shall appear to the United States attorney for the District of Columbia that any defendant in any criminal proceeding prosecuted by such attorney or any of his assistants is a sexual psychopath, such attorney may file with the clerk of the court in which such proceeding is pending a statement in writing setting forth the facts tending to show that such defendant is a sexual psychopath.

(c) Whenever it shall appear to any court that any defendant in any criminal proceeding pending in such court is a sexual psychopath, the court may, if it deems such procedure advisable, direct the officer prosecuting the defendant to file with the clerk of such court a statement in writing setting forth the facts tending to show that such defendant is a sexual psychopath.

Time limitation. (d) Any statement filed in a criminal proceeding pursuant to subsection (b) or (c) may be filed only (1) before trial, (2) after conviction or plea of guilty but before sentencing, or (3) after conviction or plea of guilty but before the completion of probation.

Nonapplicability. (e) This section shall not apply to an individual in a criminal proceeding who is charged with rape or assault with intent to rape.

RIGHT TO COUNSEL

SEC. 203. A patient shall have the right to have the assistance of counsel at every stage of the proceeding under this title. Before the court appoints psychiatrists pursuant to section 204 it shall advise the patient of his right to counsel and shall assign counsel to represent him unless the patient is able to obtain counsel or elects to proceed without counsel.

Infra.

EXAMINATION BY PSYCHIATRISTS

Supra. SEC. 204. (a) When a statement has been filed with the clerk of any court pursuant to section 202, such court shall appoint two qualified psychiatrists to make a personal examination of the patient. The patient shall be required to answer questions asked by the psychiatrists under penalty of contempt of court. Each psychiatrist shall file a

Filing of report.

written report of the examination, which shall include a statement of his conclusion as to whether the patient is a sexual psychopath.

(b) The counsel for the patient shall have the right to inspect the reports of the examination of the patient. No such report and no evidence resulting from the personal examination of the patient shall be admissible against him in any judicial proceeding except a proceeding under this title to determine whether the patient is a sexual psychopath. Inspection of reports.

WHEN HEARING IS REQUIRED

SEC. 205. If, in their reports filed pursuant to section 204, both psychiatrists state that the patient is a sexual psychopath, or if both state that they are unable to reach any conclusion by reason of the partial or complete refusal of the patient to submit to thorough examination, or if one states that the patient is a sexual psychopath and the other states that he is unable to reach any conclusion by reason of the partial or complete refusal of the patient to submit to thorough examination, then the court shall conduct a hearing in the manner provided in section 206 to determine whether the patient is a sexual psychopath. If, on the basis of the reports filed, the court is not required to conduct such a hearing, the court shall enter an order dismissing the proceeding under this title to determine whether the patient is a sexual psychopath. *Ante*, p. 348. *Infra*.

HEARING; COMMITMENT TO SAINT ELIZABETHS HOSPITAL

SEC. 206. Upon the evidence introduced at a hearing held for that purpose the court shall determine whether or not the patient is a sexual psychopath. Such hearing shall be conducted without a jury unless, before such hearing and within fifteen days after the date on which the second report is filed pursuant to section 204, a jury is demanded by the patient or by the officer filing the statement. The rules of evidence applicable in judicial proceedings in the court shall be applicable to hearings pursuant to this section; but, notwithstanding any such rule, evidence of conviction of any number of crimes the commission of which tends to show that the patient is a sexual psychopath and of the punishment inflicted therefor shall be admissible at any such hearing. The patient shall be entitled to an appeal as in other cases. If the patient is determined to be a sexual psychopath, the court shall commit him to Saint Elizabeths Hospital to be confined there until released in accordance with section 207. *Ante*, p. 348.

PAROLE; DISCHARGE

SEC. 207. Any person committed under this title may be released from confinement when the Superintendent of Saint Elizabeths Hospital finds that he has sufficiently recovered so as to not be dangerous to other persons, provided if the person to be released be one charged with crime or undergoing sentence therefor, the Superintendent of the hospital shall give notice thereof to the judge of the criminal court and deliver him to the court in obedience to proper precept.

STAY OF CRIMINAL PROCEEDINGS

SEC. 208. Any statement filed in a criminal proceeding pursuant to subsection (b) or (c) of section 202 shall stay such criminal proceeding until whichever of the following first occurs: *Ante*, p. 348.

(1) The proceeding under this title to determine whether the patient is a sexual psychopath is dismissed pursuant to section 205 or withdrawn;

(2) It is determined pursuant to section 206 that the patient is not a sexual psychopath; or

(3) The patient is discharged from Saint Elizabeths Hospital pursuant to section 207.

Ante, p. 349.

CRIMINAL LAW UNCHANGED

SEC. 209. Nothing in this title shall alter in any respect the tests of mental capacity applied in criminal prosecutions under the laws of the District of Columbia.

Approved June 9, 1948.

[CHAPTER 433]

AN ACT

June 10, 1948
[S. 2277]
[Public Law 616]

To amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Surplus Property Act of 1944 (58 Stat. 770), as amended, is further amended by adding at the end thereof the following new subsection:

Surplus Property Act of 1944, amendment.
50 U. S. C. app. § 1622; Supp. I, § 1622.
Post, p. 1103.

Conveyance to State, etc.

"(h) (1) Notwithstanding any other provision of this Act, any disposal agency designated pursuant to this Act may, with the approval of the Administrator, convey to any State, political subdivision, instrumentalities thereof, or municipality, all of the right, title, and interest of the United States in and to any surplus land, including improvements and equipment located thereon, which, in the determination of the Secretary of the Interior, is suitable and desirable for use as a public park, public recreational area, or historic monument, for the benefit of the public. The Administrator, from funds appropriated to the War Assets Administration, shall reimburse the Secretary of the Interior for the costs incurred in making any such determination.

Park or recreational purposes.

"(2) Conveyances for park or recreational purposes made pursuant to the authority contained in this subsection shall be made at a price equal to 50 per centum of the fair value of the property conveyed, based on the highest and best use of the property at the time it is offered for disposal, regardless of its former character or use, as determined by the Administrator. Conveyances of property for historic-monument purposes under this subsection shall be made without monetary consideration: *Provided*, That no property shall be determined under this paragraph to be suitable or desirable for use as an historic-monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled "An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), and no property shall be so determined to be suitable or desirable for such use if (A) its area exceeds that necessary for the preservation and proper observation of the historic monument situated thereon, or (B) it was acquired by the United States at any time subsequent to January 1, 1900.

Historic monuments.

16 U. S. C. § 463.

Deed of conveyance.

"(3) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

"(A) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed for a period of not less than twenty years, and that in the event that such property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

"(B) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States."

SEC. 2. Section 13 (f) of the Surplus Property Act of 1944, as amended, is amended to read as follows:

58 Stat. 772.
50 U. S. C. app. § 1622 (f).

"(f) Except as otherwise provided by this section, the disposal of surplus property under this section to States and political subdivisions and instrumentalities thereof shall be given priority over all other disposals of property provided for in this Act except (1) transfers to Government agencies under section 12 of this Act, as amended, and (2) disposals to veterans under section 16 of this Act, as amended. Disposals of real property to States, political subdivisions, and instrumentalities thereof for any of the purposes specified in section 13 (a) (1) (A), section 13 (a) (1) (B), section 13 (c), section 13 (d), section 13 (e), section 13 (g), or section 13 (h) of such Act, as amended, shall be given priority over all other disposals of property provided for in this Act except transfers to Government agencies under section 12 of this Act, as amended. The Administrator may prescribe a reasonable time during which any such priority shall be exercised."

Priority.

58 Stat. 770, 773.
50 U. S. C. app. §§ 1621, 1625.

SEC. 3. Section 18 (e) of the Surplus Property Act of 1944, as amended, is hereby repealed.

58 Stat. 774.
50 U. S. C. app. § 1627 (e).

Approved June 10, 1948.

[CHAPTER 434]

AN ACT

To amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service.

June 10, 1948
[H. R. 4236]
[Public Law 617]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate and improve the civil service of the United States", as amended (22 Stat. 403), is amended by adding at the end of paragraph "Second" the following new subparagraph:

Civil Service Act, amendment.

5 U. S. C. § 633.

"Ninth, that no person shall be discriminated against in any case because of any physical handicap, in examination, appointment, reappointment, reinstatement, reemployment, promotion, transfer, retransfer, demotion, or removal, with respect to any position the duties of which, in the opinion of the Civil Service Commission, may be efficiently performed by a person with such a physical handicap: *And provided further*, That such employment will not be hazardous to the appointee or endanger the health or safety of his fellow employees or others."

Nondiscrimination of persons physically handicapped.

Approved June 10, 1948.

[CHAPTER 435]

AN ACT

To authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake and Ohio Canal between Great Falls, Maryland, and Cumberland, Maryland, and to report to the Congress upon the advisability and practicability of constructing thereon a parkway, and for other purposes.

June 10, 1948
[H. R. 5155]
[Public Law 618]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be expended from the appropriations made to the National Park Service for parkways the sum of $40,000 for the purpose of making a joint reconnaissance study by the Public Roads Administration and the National Park Service of the federally owned Chesapeake and Ohio Canal between Great Falls, Maryland,

Chesapeake and Ohio Canal, Md.
Appropriation authorized.

and Cumberland, Maryland, to determine the advisability and practicability of constructing a parkway along the route of the Chesapeake and Ohio Canal, including a report of estimated cost.

Approved June 10, 1948.

[CHAPTER 436]

AN ACT

June 10, 1948
[H. R. 5283]
[Public Law 619]

To provide for the disposal of surplus sand at Fort Story, Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law the Secretary of the Army is hereby authorized and empowered to dispose of surplus sand on Government-owned lands at Fort Story, Virginia, by sale, upon such terms and conditions as are deemed advisable by him.

Approved June 10, 1948.

[CHAPTER 437]

AN ACT

June 10, 1948
[H. R. 5816]
[Public Law 620]

To amend the Act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 25, 1947, is hereby amended as follows:

Theodore Roosevelt National Memorial Park.
61 Stat. 52.
16 U. S. C., Supp. I, § 241.
Post, pp. 384, 1102.

Amend section 1 to read "That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, 29, and 30, township 140 north, range 101 west; thence northwesterly and southwesterly along the north line of the right-of-way of said highway to be relocated as shown on the right-of-way plat for project SNFAP 283C (3) filed for record in the office of the register of deeds, Medora, North Dakota, book numbered 2 of plats, page 68, on June 13, 1942, through section 25 and the east half of the northeast quarter of section 26, township 140 north, range 102 west, to the point of intersection with the east sixteenth section line of said section 26; thence north along the sixteenth section line to the northwest corner of the northeast quarter of the northeast quarter of said section 26; thence northwesterly along a line to the northwest corner of the southwest quarter of the southeast quarter of section 23, township 140 north, range 102 west; thence westerly along the sixteenth section line to the northeast corner of the southeast quarter of the southeast quarter of section 22; township 140 north, range 102 west; thence southerly along the east section line to the southeast corner of said section 22; thence westerly along the south line of said section 22 to the point of intersection with the right bank of the Little Missouri River; thence northerly and westerly along the right bank of said river to the point of intersection with the east line of section 21, township 140 north, range 102 west; thence southerly along the east line of said section 21, to the intersection with the north line of the right-of-way of the Northern Pacific Railway, which point lies north of said United States Highway Numbered 10; thence westerly along the north line of said right-of-way to the point of intersection with the north line of the

right-of-way of said United States Highway Numbered 10; thence westerly along the north line of the right-of-way of said highway through said section 21 to the intersection with the west line of said section 21; thence northerly along the west line of said section 21, and sections 16 and 9, thence continuing northerly to the southeast corner of Government lot 9, section 5, township 140 north, range 102 west; thence northwesterly to the northwest corner of Government lot 2 in said section 5; thence westerly to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; thence northerly along the quarter section line to the northwest corner of the said southeast quarter of section 34; thence northwesterly along a line to the southwest corner of section 27, township 141 north, range 102 west; thence northerly along the west line of said section 27, to the southwest corner of the northwest quarter of said section 27; thence northeasterly along a line to the southwest corner of the southeast quarter of section 22, township 141 north, range 102 west; thence continuing northeasterly along a line to the southwest corner of the northwest quarter of section 23, township 141 north, range 102 west; thence continuing northeasterly along a line to the northeast corner of said northwest quarter of section 23; thence easterly along the north lines of said section 23, and section 24, township 141 north, range 102 west; to the northwest corner of section 19, township 141 north, range 101 west; thence continuing easterly along the north line of said section 19 to the northwest corner of the northeast quarter of said section 19; thence southeasterly along a line to the northwest corner of the southwest quarter of the southwest quarter of the northwest quarter of section 20, township 141 north, range 101 west; thence southerly along the west line of said section 20 to the northwest corner of the southwest quarter of section 20; thence easterly to the northwest corner of the southeast quarter of section 20; thence southerly to the southwest corner of the southeast quarter of said section 20; thence easterly along the north lines of section 29 and section 28, to the northeast corner of section 28, township 141 north, range 101 west; thence southerly along the west line of section 27, township 141 north, range 101 west, to the southwest corner of said section 27; thence easterly along the north lines of sections 34, 35, and 36 to the northeast corner of section 36, township 141 north, range 101 west; thence southerly along the east line of said section 36 to the southwest corner of section 31, township 141 north, range 100 west; thence easterly to the southeast corner of said section 31; thence southeasterly along a line to the northwest corner of Government lot 7 of section 2, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 1, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the northeast quarter of section 12, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 7, township 140 north, range 100 west; thence easterly along the quarter section line to the northwest corner of the southeast quarter of said section 7; thence southeasterly along a line to the northwest corner of section 17, township 140 north, range 100 west; thence continuing southeasterly along a line to a point which is 33 feet west of the east line of said section 17, and 33 feet north of the south line of said section 17; thence southerly on a line which lies 33 feet west of and parallel to the east lines of sections 20, 29, and 32 of township 140 north, range 100 west, to the point of intersection with the north right-of-way line of United States Highway Numbered 10; thence westerly along the north line of said right-of-way through said sections 32 and 31, township 140 north, range 100 west, to the point of intersection with the east boundary of section 36, township 140 north, range 101 west, the place of

beginning, containing forty-nine thousand one hundred and fifty-three and seventy-nine one-hundredths acres more or less."

61 Stat. 54. 16 U. S. C., Supp. I, § 244.

Amend section 4 by striking out "lots 2, 3, 4, and 6 of section 33, township 144, range 102," and inserting in lieu thereof "lots 6 and 7, section 33, township 144 north, range 102 west; southeast quarter of southeast quarter, section 32, township 144 north, range 102 west; lots 4 and 5, section 4, township 143, range 102 west; and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5,".

61 Stat. 54. 16 U. S. C., Supp. I, § 246.

Strike out all of section 6 and renumber the remaining sections accordingly.

Conveyance to other agencies.

SEC. 2. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States.

Approved June 10, 1948.

[CHAPTER 438]

JOINT RESOLUTION

June 10, 1948
[H. J. Res. 246]
[Public Law 621]

To authorize the issuance of a special series of stamps commemorative of the one-hundredth anniversary of the poultry industry in the United States.

Poultry industry. Commemorative stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance, during 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one-hundredth anniversary of the poultry industry in the United States.

Approved June 10, 1948.

[CHAPTER 439]

JOINT RESOLUTION

June 10, 1948
[H. J. Res. 340]
[Public Law 622]

To authorize the issuance of a special series of stamps commemorative of the one-hundredth anniversary of the founding of the American Turners Society in the United States.

American Turners. Commemorative stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance, during 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one-hundredth anniversary of the founding of the American Turners, which society sponsored physical education and recreation in America.

Approved June 10, 1948.

[CHAPTER 447]

AN ACT

June 10, 1948
[S. 1486]
[Public Law 623]

To provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service.

Government employees, salaries. 37 Stat. 555.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of August 24, 1912 (U. S. C., 1946 edition, title 5, sec. 652), is hereby amended to read as follows:

"SEC. 6. (a) No person in the classified civil service of the United States shall be removed or suspended without pay therefrom except for such cause as will promote the efficiency of such service and for reasons given in writing. Any person whose removal or suspension without pay is sought shall (1) have notice of the same and of any charges preferred against him; (2) be furnished with a copy of such charges; (3) be allowed a reasonable time for filing a written answer to such charges, with affidavits; and (4) be furnished at the earliest practicable date with a written decision on such answer. No examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer or employee directing the removal or suspension without pay. Copies of the charges, the notice of hearing, the answer, the reasons for removal or suspension without pay, and the order of removal or suspension without pay shall be made a part of the records of the proper department or agency, as shall also the reasons for reduction in grade or compensation; and copies of the same shall be furnished, upon request, to the person affected and to the Civil Service Commission. This subsection shall apply to a person within the purview of section 14 of the Veterans' Preference Act of 1944, as amended, only if he so elects.

Removal from classified civil service.

Notice of charges, etc.

Record of charges, etc.

58 Stat. 390.
5 U. S. C., Supp. I, § 863.

"(b) (1) Any person removed or suspended without pay under subsection (a) who, after filing a written answer to the charges as provided under such subsection or after any further appeal to proper authority after receipt of an adverse decision on the answer, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

Compensation upon reinstatement.

"(2) Any person who is discharged, suspended, or furloughed without pay, under section 14 of the Veterans' Preference Act of 1944, as amended, who, after answering the reasons advanced for such discharge, suspension, or furlough or after an appeal to the Civil Service Commission, as provided under such section, is reinstated or restored to duty on the ground that such discharge, suspension, or furlough was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such discharge, suspension, or furlough for the period for which he received no compensation with respect to the position from which he was discharged, suspended, or furloughed, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period.

58 Stat. 390.
5 U. S. C., Supp. I, § 863.

"(3) Any person removed or suspended without pay in a reduction in force who, after an appeal to proper authority, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

Membership in organizations of postal employees.

"(c) Membership in any society, association, club, or other form of organization of postal employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States, having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

Right to petition Congress.

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with."

Approved June 10, 1948.

[CHAPTER 448]

JOINT RESOLUTION

June 11, 1948
[S. J. Res. 231]
[Public Law 624]

To amend section 303 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes".

Defense housing, amendment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 (a) of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940 (Public Law 849, Seventy-sixth Congress), as amended, is hereby amended by striking out the period at the end thereof and inserting a colon and the following: "*And provided further*, That moneys derived from the rental and operation of such property and funds from the reserve account established by the Administrator pursuant to this section 303, not exceeding in the aggregate $10,000,000, shall be available and may be used by the Administrator for expenses found necessary in the provision of stopgap emergency housing in the Portland, Oregon-Vancouver, Washington, area for persons and families displaced as the result of the destruction of the temporary housing at Vanport in Multnomah County, Oregon, and other persons and families in such area rendered homeless as a result of the present flood, and in providing such stopgap emergency housing the Administrator may act without regard to section 3709 of the Revised Statutes."

54 Stat. 1127; 55 Stat. 363.
42 U. S. C. § 1543 (a).
Emergency housing, Oreg. and Wash.
41 U. S. C. § 5.

Approved June 11, 1948.

[CHAPTER 449]

AN ACT

June 12, 1948
[S. 1641]
[Public Law 625]

To establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Air Force, Regular Navy and Marine Corps, and in the Reserve components of the Army, Navy, Air Force, and Marine Corps, and for other purposes.

Women's Armed Services Integration Act of 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Women's Armed Services Integration Act of 1948".

TITLE I

ARMY

SEC. 101. Effective the date of enactment of this title, there is established in the Regular Army a Women's Army Corps, which shall per-

form such services as may be prescribed by the Secretary of the Army.

Authorized strengths.

SEC. 102. The authorized commissioned, warrant, and enlisted strengths of the Women's Army Corps of the Regular Army shall, from time to time, be determined by the Secretary of the Army, within the authorized commissioned, warrant, and enlisted strengths of the Regular Army, but shall not exceed 2 per centum of such authorized Regular Army strengths, respectively: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of regular personnel in the Women's Army Corps of the Regular Army shall at no time exceed five hundred commissioned officers, seventy-five warrant officers and seven thousand, five hundred enlisted women, and such number of commissioned officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

Two-year limitation.

Director of WAC.

SEC. 103. (a) From the officers permanently commissioned in the Women's Army Corps, Regular Army, the Secretary of the Army shall select to serve during his pleasure, but normally not to exceed four years, one officer to be Director of the Women's Army Corps who shall be adviser to the Secretary of the Army on Women's Army Corps matters, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving; one officer to be Deputy Director thereof, who, if permanently commissioned in a lower grade, shall, without vacation of her permanent grade, have the temporary rank, pay, and allowances of a lieutenant colonel while so serving; and from among officers of the Women's Army Corps (including Women's Army Corps officers of the Army of the United States or any component thereof serving on extended active duty) the Secretary of the Army shall select to serve during his pleasure such number of officers as he may determine necessary to fill positions designated by him in the administration and training of the Women's Army Corps, who, if permanently commissioned in a lower grade, shall, without vacation of permanent grade, have the temporary rank, pay, and allowances of lieutenant colonel or major while so serving, as the Secretary of the Army may determine: *Provided*, That after July 1, 1952, such officers shall be selected from among commissioned officers in the permanent grades of lieutenant colonel or major, except the Director and Deputy Director who shall be selected from among officers in the permanent grade of lieutenant colonel: *And provided further*, That prior to July 1, 1952, the Secretary of the Army may extend that date one time until such later date as he may select for that purpose but such later date shall not be later than July 1, 1956.

Deputy Director.

Administration and training officers.

Selection after July 1, 1952.

Retired rank and pay.

(b) Unless entitled to higher retired rank or pay under any provision of law, each such commissioned officer who shall have served for two and one-half years as Director or Deputy Director of such corps may upon retirement at the discretion of the President be retired with the rank held by her while so serving, and with retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which she would receive if serving on active duty with such rank, and if thereafter recalled to active service shall be recalled in such rank.

Appointment of commissioned officers.

SEC. 104. (a) Commissioned officers of the Women's Army Corps of the Regular Army shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years and who possess such qualifications as may be prescribed by the Secretary of the Army.

Original appointments.

(b) Except as modified or otherwise provided by express provisions of law, original appointments of officers in the Women's Army Corps of the Regular Army shall be made from among qualified female

persons in the manner now or hereafter prescribed by law for appointment of male persons in the Regular Army except as may be necessary to adapt said provisions to the Women's Army Corps of the Regular Army.

Grades.

(c) Officers shall be permanently commissioned in the Women's Army Corps of the Regular Army in grades from second lieutenant to lieutenant colonel, inclusive. The authorized number in permanent grade of lieutenant colonel shall be such as the Secretary of the Army shall from time to time determine but shall not exceed 10 per centum of the total authorized commissioned strength of such corps.

61 Stat. 883.

(d) Title V of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress, approved August 7, 1947) is amended as follows:

61 Stat. 884.
10 U. S. C., Supp. I, § 506 (c).

(1) Subsection 502 (c) of said Act is amended by inserting in the first sentence thereof immediately after the words "as chaplains," the additional words "in the Women's Army Corps,", and by inserting in the second sentence thereof immediately after the words "the Medical Department," the additional words "the Women's Army Corps,".

61 Stat. 884.
10 U. S. C., Supp. I, § 506 (d).

(2) Subsection 502 (d) of said Act is amended by inserting immediately after the words "of the chaplains of the Regular Army;" the additional words "of the Women's Army Corps of the Regular Army;".

61 Stat. 888.
10 U. S. C., Supp. I, § 559 (b) (1).

(3) Subsection 505 (b) of said Act is amended by inserting immediately after the first proviso contained in paragraph (1) thereof the following additional proviso: "*Provided further*, That in the Women's Army Corps promotion list there shall be no officers in the permanent grade of colonel and the authorized number in the permanent grade of lieutenant colonel shall not exceed 10 per centum of the total strength authorized for that promotion list but the percentages not authorized in these grades by virtue of this proviso shall be allotted by the Secretary of the Army to grades below lieutenant colonel in such promotion list:".

Colonel and lieutenant colonel grades, restriction.

61 Stat. 889.
10 U. S. C., Supp. I, § 559 (c) (1).

(4) Subsection 505 (c) of said Act is amended by inserting in paragraph (1) thereof immediately after the words "Air Corps," the additional words "the Women's Army Corps,", and by inserting the following additional paragraph at the end of said subsection:

"(8) The Women's Army Corps promotion list shall contain the names of all promotion-list officers of the Women's Army Corps."

61 Stat. 892.
10 U. S. C., Supp. I, § 559a (a) (4).

(5) Subsection 507 (a) of said Act is amended by changing the period at the end of paragraph (4) thereof to a colon and inserting after such colon the following proviso: "*Provided*, That any selection board convened to consider and recommend officers of the Women's Army Corps of the Regular Army for promotion to any grade may contain officers of the Women's Army Corps of the Regular Army in any grade above that of major either in the Women's Army Corps of the Regular Army or under temporary appointment in the Army of the United States."

Selection board.

61 Stat. 894.
10 U. S. C., Supp. I, § 559c (a).

(6) Subsection 509 (a) of said Act is amended by changing the period at the end of said subsection to a colon and inserting after such colon the following additional words: "*Provided*, That the provisions of this section shall not apply to promotion of officers of the Women's Army Corps of the Regular Army to the grade of lieutenant colonel."

Nonapplicability.

61 Stat. 897.
10 U. S. C., Supp. I, §§ 559c, 559d.

(7) Said Act is amended by inserting between sections 509 and 510 the following new section:

"WOMEN'S ARMY CORPS PROMOTION-LIST OFFICERS—PROMOTION TO GRADE OF LIEUTENANT COLONEL

"SEC. 509A. Women's Army Corps promotion-list officers shall be promoted to and appointed in the permanent grade of lieutenant colonel in the Regular Army only when a vacancy exists in the number

of lieutenant colonels authorized for that promotion list. Such officers shall be appointed in that grade only when selected and recommended for that grade by a selection board under regulations prescribed by the Secretary of the Army."

(8) Subsection 514 (b) of said Act is amended by renumbering paragraphs (2) and (3) thereof so that they will appear as paragraphs (3) and (4) thereof, respectively, and inserting immediately before such paragraphs the following new paragraph:

61 Stat. 903.
10 U. S. C., Supp. I, § 941a (b) (2) (3).

"(2) for any officer appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 of title I of the Women's Armed Services Integration Act of 1948, the period of service credited to such officer at time of her appointment under the provisions of subsection (b) of such section, increased by the period of her active commissioned service in the Regular Army subsequent to such appointment;".

Post, p. 361.

(9) Subsection 514 (d) of said Act is amended by changing the period at the end of the last proviso contained in paragraph (4) thereof to a colon and inserting after such colon the following additional provisos: "*Provided further*, That any of the officers of the Women's Army Corps of the Regular Army in the permanent grade of lieutenant colonel may, in the discretion of the Secretary of the Army, be retained on the active list until thirty days after that date upon which thirty 'years' service' is completed: *And provided further*, That any officer of the Women's Army Corps of the Regular Army in the permanent grade of lieutenant colonel, who is serving in the temporary grade of colonel by virtue of occupying the position of Director of said Corps, may, in the discretion of the Secretary of the Army, be retained on the active list while serving in such temporary grade."

61 Stat. 903.
10 U. S. C., Supp. I, § 941a (d) (4).

Retention on active list.

Director.

(10) Subsection 514 (d) of said Act is further amended by inserting after the end of paragraph (4) thereof the following new paragraph:

Supra.

"(5) After June 30, 1953, unless provided otherwise by some provision of law, each officer of the Women's Army Corps of the Regular Army, heretofore or hereafter appointed in the permanent grade of major, who is not retired or separated at an earlier date under other provisions of law, shall be eliminated from the active list and retired on that date which is thirty days after the date upon which she completes twenty-five 'years' service', unless she is appointed in the permanent grade of lieutenant colonel in the Regular Army before that date."

Majors.

(e) The Women's Army Corps promotion list described in section 505 of the Officer Personnel Act of 1947, as amended, shall be established as soon as officers are appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 of this title. The names of all officers appointed under the provisions of section 108 of this title shall be placed on such promotion list immediately below those officers of the same grade having the same or next greater period of service for promotion purposes.

Promotion list.

61 Stat. 888.
10 U. S. C., Supp. I, § 559 and note.
Ante, p. 358.

Post, p. 361.

(f) Commissioned officers of the Women's Army Corps of the Regular Army are promotion-list officers and they shall be included among officers referred to by that term in all provisions of law relating to promotion-list officers generally, unless otherwise specifically provided.

Promotion-list officers.

(g) The Secretary of the Army shall prescribe the military authority which commissioned officers of the Women's Army Corps may exercise, and the kind of military duty to which they may be assigned.

Military duty, etc.

(h) The Secretary of the Army, under the circumstances and in accordance with regulations prescribed by the President, may termi-

Termination of commission.

nate the commission of any officer appointed in the Women's Army Corps.

Permanent grade promotions.

(i) There shall be no permanent grade promotions in the Women's Army Corps of the Regular Army to the grades of captain, major, or lieutenant colonel until the making of promotions to fill initial requirements in these grades in accordance with the provisions of subsection (j) of this section.

(j) Permanent grade promotions to fill initial requirements in the Women's Army Corps promotion list in the grades of captain, major, and lieutenant colonel shall be made on that date which is fifteen months after the date of enactment of this title or at the earliest practicable time thereafter under provisions identical to those contained in section 518 of the Officer Personnel Act of 1947 except that the first two sentences of paragraph (1) of subsection (a) thereof shall not apply and in the remainder of said section, insofar as promotions in the Women's Army Corps of the Regular Army are concerned, wherever the date "July 1, 1948" appears and wherever the date "June 30, 1948" appears there shall be substituted in lieu thereof that date which is fifteen months after the date of enactment of this title and, insofar as promotions of officers of the Women's Army Corps of the Regular Army to the grade of lieutenant colonel are concerned, the provisions of subsection 518 (b) thereof shall not apply and, insofar as promotions in the Women's Army Corps of the Regular Army are concerned, the phrase "years' service" as used therein shall mean the amount of service credited to persons appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 (b) of this title at time of appointment increased by the period of active commissioned service in the Regular Army performed by such persons subsequent to appointment.

61 Stat. 910.
10 U. S. C., Supp. I, § 559i.

"Years' service."

Post, p. 361.

Suspension of promotions to certain grades.

(k) After the making of promotions to fill initial requirements prescribed in subsection (j) of this section, all permanent grade promotions in the Women's Army Corps of the Regular Army to the grades of captain, major, and lieutenant colonel shall be suspended until that date which is twenty-four months after the date of enactment of this title and at that time section 509 and section 509A of the Officer Personnel Act of 1947, as amended, shall become effective for permanent grade promotions of officers of the Women's Army Corps of the Regular Army to the grades of captain, major, and lieutenant colonel.

61 Stat. 894.
10 U. S. C., Supp. I, § 559c.
Ante, p. 358.

Warrant officers.

SEC. 105. (a) Under such regulations as the Secretary of the Army may prescribe, female citizens of the United States may be appointed warrant officers in the Women's Army Corps of the Regular Army in each of the several warrant officer grades under the provisions of law now or hereafter applicable to the appointment of male persons in such warrant officer grades in the Regular Army and all laws now or hereafter applicable to warrant officers of the Regular Army shall be applicable to such warrant officers.

Termination of appointment.

(b) The Secretary of the Army, under such regulations as he may prescribe, may terminate the appointment of any warrant officer appointed in the Women's Army Corps.

Original enlistments and reenlistments.

SEC. 106. (a) Original enlistments and reenlistments in the Women's Army Corps of the Regular Army, from among female persons who possess such qualifications as the Secretary of the Army may prescribe, may be accepted under applicable provisions of law which govern original enlistments and reenlistments in the Regular Army of male persons except as may be necessary to adapt said provisions to the Women's Army Corps of the Regular Army: *Provided*, That no person shall be enlisted in the Women's Army Corps of the Regular Army who has not attained the age of eighteeen years: *And provided further*, That no person under the age of twenty-one years

Age requirement.

Consent of parents or guardians.

shall be enlisted in such corps without the written consent of her parents or guardians, if any.

Termination of enlistment.

(b) The Secretary of the Army, under such regulations as he may prescribe, may terminate the enlistment of any enlisted woman in the Women's Army Corps, and each person whose enlistment is so terminated shall be discharged from the Army.

Applicability of laws.

SEC. 107. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers, warrant officers, and enlisted men of the Regular Army; to former male commissioned officers, warrant officers, and enlisted men of the Regular Army; and to their dependents and beneficiaries, shall in like cases be applicable, respectively, to commissioned officers, warrant officers, and enlisted women of the Women's Army Corps, Regular Army, to former commissioned officers, warrant officers, and enlisted women of the Women's Army Corps, Regular Army, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the Women's Army Corps: *Provided*, That the husbands of women officers and enlisted personnel of the Regular Army shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such officers and enlisted personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Dependents.

Appointment of officers in WAC of Regular Army.

SEC. 108. (a) At any time not later than a date two years following the date of enactment of this title, the President is authorized to appoint officers in the Women's Army Corps of the Regular Army, by and with the advice and consent of the Senate, in the grades of second lieutenant, first lieutenant, captain, and major, subject to the conditions and limitations hereinafter set forth. Persons appointed under the provisions of this section shall—

(1) be female citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and have such other qualifications as may be prescribed by the Secretary of the Army; and shall

(2) have served honorably in the active Federal service as commissioned officers in the Women's Army Corps of the Army of the United States at some time between July 1, 1943, and the date of enactment of this title.

Service credit.

(b) Each person appointed as a commissioned officer of the Women's Army Corps of the Regular Army under the provisions of this section shall be credited, at the time of appointment, with service equivalent to the total period of active Federal service performed by her after attaining the age of twenty-one years as a commissioned officer in the Army of the United States from July 1, 1943, to the date of such appointment, or a period of service equal to the number of days, months, and years by which her age at the time of such appointment exceeds twenty-five years, whichever period is the greater: *Provided*, That in computing the total period of active commissioned Federal service of any such person who was honorably discharged or relieved from active service subsequent to May 12, 1945, there shall also be credited the period from the date of her discharge or relief from active service to the date of her appointment in the Women's Army Corps of the Regular Army under the provisions of this section.

(c) For the purpose of determining the grade in which each such person shall be originally appointed under the provisions of this section, a computation shall be made of the amount of service with which each such person would have been credited as of the date of enactment of this section under the provisions of subsection (b) of this section had she been appointed in the Women's Army Corps of the Regular Army under the provisions of this section on that date. The amount of service so computed for each such person is hereinafter referred to

"Enactment service."

Grades.

as the amount of such person's "enactment service". Persons appointed in the Women's Army Corps of the Regular Army with less than three years "enactment service" shall be appointed in the grade of second lieutenant; persons with three or more years "enactment service", but less than seven years "enactment service", shall be appointed in the grade of first lieutenant; persons with seven or more years "enactment service", but less than fourteen years "enactment service", shall be appointed in the grade of captain; and persons with fourteen or more years "enactment service", but less than twenty-one years "enactment service", shall be appointed in the grade of major: *Provided*, That no person appointed in the Women's Army Corps of the Regular Army under the provisions of this title shall be entitled, by reason of such appointment, to any pay or allowances for any period prior to the date of acceptance of such appointment.

Restriction on appointment.

(d) No person with twenty-one or more years "enactment service" shall be appointed as a commissioned officer of the Women's Army Corps of the Regular Army under the provisions of this section.

(e) For the purpose of determining eligibility for promotion, each person appointed as a commissioned officer in the Women's Army Corps of the Regular Army under the provisions of this section shall be credited, as of the time of such appointment, with continuous commissioned service on the active list of the Regular Army equal to the period of service credited to her under subsection (b) of this section.

Officers' and Enlisted Reserve Corps.

SEC. 109. (a) Effective the date of enactment of this title, the appointment of women in the Officers' Reserve Corps of the Army of the United States and the enlistment of women in the Enlisted Reserve Corps of the Army of the United States shall be authorized.

Applicability of laws.

(b) Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers and former commissioned officers of the Officers' Reserve Corps, to enlisted men and former enlisted men of the Enlisted Reserve Corps, and to their dependents and beneficiaries, shall in like cases be applicable, respectively, to female commissioned officers and former commissioned officers of the Officers' Reserve Corps, to enlisted women and former enlisted women of the Enlisted Reserve Corps, and to their dependents and beneficiaries, except as may be necessary to adapt said provisions to the female persons in the Officers' and Enlisted Reserve Corps: *Provided*, That the husbands of women officers and enlisted personnel of any of the Reserve components of the Army of the United States shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Dependents.

Appointments in Officers' Reserve Corps.

(c) Appointments of women in the Officers' Reserve Corps may be made by the President in grades from lieutenant colonel to second lieutenant, inclusive, from female citizens of the United States who have attained the age of twenty-one years and who possess such qualifications as may be prescribed by the Secretary of the Army: *Provided*, That any person who has served satisfactorily as the commanding officer (Director) of the Women's Army Corps established by Act of July 1, 1943 (57 Stat. 371), or as the Director of the Women's Army Corps created by this title, may, if otherwise qualified, be appointed in such Reserve Corps in the grade of colonel: *And provided further*, That women specialists (such as scientists and technical experts) who possess such qualifications as may be prescribed by the Secretary of the Army may be initially appointed in the Officers' Reserve Corps in such grades as may be prescribed by the Secretary of the Army in accordance with regulations prescribed by him.

Colonels.

50 U. S. C. app. §§ 1551-1555; Supp. I, §§ 1551-1555 notes.

Specialists.

Enlistments in Enlisted Reserve Corps.

(d) Enlistments of women in the Enlisted Reserve Corps may be accepted under the provisions of law now or hereafter applicable to

enlistments of male persons in the Enlisted Reserve Corps, under such regulations, in such grades or ratings, and for such periods of time as may be prescribed by the Secretary of the Army.

(e) The President may form any or all female members of the Officers' Reserve Corps and the Enlisted Reserve Corps into such organizations and units as he may prescribe.

SEC. 110. Notwithstanding the provisions of section 2a of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), neither (1) the Act of July 1, 1943 (57 Stat. 371), nor (2) the Act of September 22, 1941 (55 Stat. 728, ch. 414), as amended, insofar as it pertains to officers of the Women's Army Corps heretofore appointed thereunder, shall be repealed until that date which is twelve months after the date of enactment of this Act.

61 Stat. 451.
50 U. S. C. app. §§ 1551–1555; Supp. I, §§ 1551–1555 notes.
10 U. S. C. § 484 note; Supp. I, § 484.

TITLE II

NAVY AND MARINE CORPS

SEC. 201. All laws or parts of laws which now or hereafter authorize enlistments in the Regular Navy and which now or hereafter authorize appointments of commissioned and warrant officers in the Regular Navy shall, subject to the provisions of this title, be construed to include authority to enlist and appoint women in the Regular Navy: *Provided*, That no woman shall be enlisted in the Regular Navy or Naval Reserve who has not attained the age of eighteen years: *And provided further*, That no woman under the age of twenty-one years shall be enlisted in the Regular Navy or Naval Reserve without the written consent of her parents or guardians, if any.

Age requirement.

Consent of parents or guardians.

SEC. 202. The number of enlisted women on the active list of the Regular Navy at any one time shall not exceed 2 per centum of the enlisted strength now or hereafter authorized for the active list of the Regular Navy, and the number of commissioned and warrant women officers on the active list of the Regular Navy at any one time shall not exceed 10 per centum of the authorized number of enlisted women of the Regular Navy: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of women in the Regular Navy shall at no time exceed five hundred commissioned women officers, twenty warrant women officers, and six thousand enlisted women, and such number of commissioned women officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

Number on active list.

Limitation on number for two years.

SEC. 203. Women commissioned in the Regular Navy under the provisions of this title shall not have permanent commissioned grade on the active list of the Regular Navy above that of commander. The number of women officers on the active list of the line of the Regular Navy in the permanent grades of commander and lieutenant commander shall not exceed 10 per centum and 20 per centum, respectively, of the number of women officers on the active list of the line of the Regular Navy above commissioned warrant grade at any one time. Computations to determine such numbers shall be made as of January 1 of each year. Whenever a final fraction occurs in any computation made pursuant to this section, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken. Upon determining such numbers, the Secretary of the Navy may further determine the number, which may be a lesser number, of women officers on the active list of the line of the Regular Navy which may serve in each of such grades and the numbers so further determined shall be held and considered as the authorized numbers until subsequent computations and determinations are made. No woman officer of the Regular Navy shall be reduced in grade or pay,

Commanders and lieutenant commanders.

Determination of numbers.

or be separated from the active list, as the result of any such computation or determination.

Original appointments.

SEC. 204. All original appointments of women to commissioned grade in the Regular Navy above the grade of commissioned warrant officer, other than appointments effected pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be in the grade of ensign or lieutenant (junior grade) at the discretion of the President. Such appointees shall be female citizens of the United States who on July 1 of the year in which appointed are over twenty-one and under thirty years of age. No person shall be appointed pursuant to this section until she shall have established her mental, moral, educational, professional, and physical qualifications to the satisfaction of the Secretary of the Navy.

34 U. S. C. §§ 272a, 151, 691, 153, 15, 16, 228a; Supp. I, §§ 2, 15.

Qualifications.

Assistant to Chief of Naval Personnel.

SEC. 205. From the women officers serving in the grade of lieutenant commander or above, one woman officer may be detailed to duty in the Bureau of Naval Personnel as an assistant to the Chief of Naval Personnel. She shall have the rank of captain while so serving, and shall be entitled to pay and allowances as are now or may be hereafter prescribed by law for a captain of the Regular Navy, and her regular status as a commissioned officer in the Navy shall not be disturbed by reason of such detail.

Applicability of laws.

SEC. 206. (a) The respective provisions of law now existing or hereafter enacted relating to the promotion by selection of line and staff officers of the Regular Navy not restricted in the performance of duty which are not inconsistent with the provisions of this title are hereby made applicable to women officers of the Regular Navy.

Promotion to lieutenant (jg).

(b) A woman officer of the grade of ensign in the Regular Navy shall be eligible for promotion to the grade of lieutenant (junior grade) on the third anniversary of the date of rank stated in her appointment to the grade of ensign.

Selection boards.

(c) Selection boards for the recommendation of women officers of the Regular Navy for promotion in grade shall consist of not less than six nor more than nine officers of the line or appropriate staff corps of the Regular Navy. The Secretary of the Navy shall determine the composition of such boards.

Line officers. Consideration for promotion.

(d) Women lieutenant commanders, lieutenants, and lieutenants (junior grade) of the line of the Regular Navy shall become eligible for consideration by a selection board for promotion to the next higher grade in the fiscal year on June 30 of which they will have completed four, four, and three years, respectively, of service in their grades and shall retain such eligibility until recommended for promotion in the approved report of a board on selection or until separated from the active list. In computing such service in grade, an officer appointed pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be credited in the grade to which so appointed with all time from the date of rank stated in her appointment in that grade while an officer of the Naval Reserve, exclusive of time in such grade under a temporary appointment which, by its terms, was for a period of limited duration: *Provided*, That no such officer shall become eligible for consideration by a selection board unless all officers of the same grade senior in lineal rank are eligible for such consideration. In each other instance, service in grade shall be computed from the date of rank stated in the appointment to the grade concerned.

Service credit.

34 U. S. C. §§ 272a, 151, 691, 153, 15, 16, 228a; Supp. I, §§ 2, 15.

Running mates.

(e) Women officers of the Staff Corps of the Regular Navy shall have as their running mates women officers of the line of the Regular Navy, women staff officers appointed pursuant to the Act of April 18, 1946 (60 Stat. 92), shall, upon appointment, be assigned running mates as the Secretary of the Navy shall direct; in all other instances, running mates shall be assigned in the manner prescribed by law now

34 U. S. C. §§ 272a, 151, 691, 153, 15, 16, 228a; Supp. I, §§ 2, 15.

existing or hereafter enacted relating to the assignment of running mates to male staff officers of the Regular Navy.

Staff officers. Consideration for promotion.

(f) A woman staff officer of the Regular Navy shall become eligible for consideration for recommendation for promotion to the next higher grade when the President approves the report of a line selection board in which the running mate of such staff officer or a woman line officer junior to such running mate is recommended for promotion to the next higher grade above that held by the staff officer.

Basis of recommendations.

(g) The recommendations of the selection boards in the cases of women officers of the line of the Regular Navy shall be based upon their comparative fitness for the duties to which they are assigned in the line of the Regular Navy.

(h) The recommendations of the selection boards in the cases of women officers of each of the respective staff corps of the Regular Navy shall be based upon their comparative fitness for the duties to which they are assigned in each of the respective staff corps of the Regular Navy.

Number in respect to promotion.

(i) The number to be furnished the appropriate selection board in respect to the promotion of women officers of the line of the Regular Navy to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing for such officers in the grade concerned plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

(j) The number to be furnished the appropriate selection board in respect to the promotion of women line officers of the Regular Navy to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of women line officers of the Regular Navy of the grade of lieutenant (junior grade) who are eligible for consideration by such board. The board shall recommend such of the eligible officers who, in the opinion of at least two-thirds of the members of the board, are qualified for promotion and shall so certify in its report. Women line officers recommended for promotion to the grade of lieutenant in the approved report of a board on selection shall become eligible for promotion to that grade on July 1 following the date of approval of the report of the board and, upon promotion, shall be entitled to the pay and allowances of the higher grade from the date of their eligibility for promotion.

(k) Each selection board appointed to recommend women staff officers of the Regular Navy for promotion to the grade of commander or lieutenant commander shall recommend for promotion to the grade concerned in the corps for which it was appointed such eligible officers, in number not to exceed the number furnished it by the Secretary of the Navy, who, in the opinion of at least two-thirds of the members of the board, are best fitted to assume the duties of the next higher grade. The number furnished the appropriate board for each such grade in each corps shall be a fraction of the number of women officers in the next lower grade of the corps concerned who in that fiscal year first become eligible for consideration for recommendation for promotion to the next higher grade; the numerator of such fraction shall be a number equal to the total number of women line officers recommended for promotion to the grade concerned in the approved report of the immediately preceding line selection board; the denominator shall be a number equal to the number of women line officers eligible in the fiscal year concerned for consideration for recommendation for promotion to the grade concerned, exclusive of those who were senior to the junior such officer recommended for promotion to the grade concerned in the

approved report of the second preceding line selection board and of those junior in lineal rank to the junior woman line officer recommended for promotion to that grade in the approved report of the immediately preceding line selection board; if the number so determined be a mixed number and the fraction thereof be one-half or greater, the fraction shall be regarded as a whole number; if such computation produces no whole number, the fraction shall be regarded as a whole number.

(l) Each selection board appointed to recommend women staff officers of the Regular Navy for promotion to the grade of lieutenant shall recommend such of the eligible officers who, in the opinion of at least two-thirds of the members of the board, are qualified for promotion and shall so certify in its report.

Disapproval by President.

(m) Should any women officers of the line or Staff Corps of the Regular Navy of the grade of lieutenant (junior grade), recommended in the report of a selection board for promotion, be not acceptable to the President when such report is presented to him for approval or disapproval, the board shall be so informed and the names of such officers shall be removed from the report of the board and no further selection of women officers shall be made at that time.

Commander or lieutenant commander. Pay and allowances.

(n) Upon promotion to the grade of commander or lieutenant commander, a woman officer of the line of the Regular Navy shall be entitled to the pay and allowances of such grade from the date of the occurence of the vacancy to which she is promoted to fill.

Eligibility of staff officer for promotion.

(o) Each woman staff officer of the Regular Navy recommended for promotion in grade in the approved report of a board on selection shall become eligible for promotion to the grade for which recommended on the date that the line officer who is to be her running mate in such grade becomes eligible for promotion to that grade and, upon promotion, shall be entitled to the pay and allowances of the higher grade from the date upon which she becomes eligible for promotion thereto.

(p) Women officers of the line or Staff Corps of the Regular Navy shall not increase the authorized number of commissioned officers of the line or Staff Corps concerned and such women officers shall be excluded from any computations made pursuant to sections 103 and 203 of the Officer Personnel Act of 1947. Women officers of the Regular Navy of the grades of chief pay clerk, pay clerk, and acting pay clerk shall not increase the authorized number of officers of those grades.

61 Stat. 798, 816. 34 U. S. C., Supp. I, §§ 4, 5.

Sea or foreign service.

(q) Any requirement of sea or foreign service in grade prescribed by law for promotion shall not apply to the promotion of women officers of the Regular Navy.

Warrant officers.

(r) The provisions of law now existing or hereafter enacted relating to the promotion of male warrant officers and to advancement to higher pay periods of male commissioned warrant officers shall apply in like manner to women warrant and commissioned warrant officers.

Applicability of retirement laws.

SEC. 207. (a) All provisions of law now existing or hereafter enacted relating to retired officers of the Regular Navy and to the retirement or separation from the active list of officers of the Regular Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section and except those provisions of the Officer Personnel Act of 1947, which relate to the retirement and discharge of officers for failure of selection for promotion, are hereby made applicable to women officers of the Regular Navy.

61 Stat. 795. 34 U. S. C., Supp. I, § 3a note.

Commander or assistant to Chief of Naval Personnel.

(b) Each woman officer of the grade of commander in the Regular Navy, or a woman officer serving as an assistant to the Chief of Naval Personnel with the rank of captain, who attains the age of fifty-five years or completes thirty years' active commissioned service in the

Regular Navy and the Naval Reserve, whichever is earlier, shall be retired by the President on the first day of the month following that in which she attains such age or completes such service, and except as otherwise provided by law, shall be placed on the retired list in the permanent grade held by her at the time of retirement: *Provided*, That a woman commander or lieutenant commander who serves as an assistant to the Chief of Naval Personnel with the rank of captain and who attains the age of fifty years while so serving may be retired by the President on the first day of the month following that in which she ceases to serve as such assistant to the Chief of Naval Personnel, and if so retired may be placed on the retired list in the rank authorized by subsection (d).

Lieutenant commander.

(c) Each woman officer of the Regular Navy who attains the age of fifty years while serving in the grade of lieutenant commander or below shall be retired by the President on the first day of the month following that in which she attains such age, and, except as otherwise provided by law, shall be placed on the retired list in the permanent grade held by her at the time of retirement: *Provided*, That this subsection shall not apply to an officer of the grade of lieutenant commander who is on a promotion list for the grade of commander or to one while serving as an assistant to the Chief of Naval Personnel with the rank of captain.

Assistant to Chief of Naval Personnel.
Ante, p. 364.

(d) Any woman officer of the Regular Navy who may be retired for any reason while serving as an assistant to the Chief of Naval Personnel under section 205 of this title, or who subsequent to such service may be retired for any reason while serving in a lower grade, may, if she shall have served two and one-half years or more as such assistant, be placed on the retired list, at the discretion of the President, in the rank held by her while serving as such assistant to the Chief of Naval Personnel: *Provided*, That the commissioned officer first detailed to duty in the Bureau of Naval Personnel as an assistant to the Chief of Naval Personnel, pursuant to this title, shall without limitation as to the time she shall serve in such capacity, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay she would have received if serving on active duty with such rank.

Retired pay.

(e) Each woman officer of the Regular Navy who is placed on the retired list in her permanent grade pursuant to subsection (b) or (c) of this section shall receive retired pay at the rate of 2½ per centum of the active-duty pay to which entitled at the time of retirement, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay.

Physical disability.

(f) Each woman officer of the Regular Navy retired because of physical disability incurred in line of duty shall, if placed on the retired list in a grade or rank higher than her permanent grade, receive retired pay equal to 75 per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the grade or rank in which placed upon the retired list.

Retirement for other than physical disability.

(g) Each woman officer of the Regular Navy retired for other than physical disability incurred in the line of duty shall, if placed on the retired list in a grade or rank higher than her permanent grade, receive retired pay equal to 2½ per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the grade or rank in which placed upon the retired list, multiplied by the number of years for which entitled to credit in the computation of her active duty pay, not to exceed a total of 75 per centum of said active-duty pay.

(h) In any instance in which retired pay is computed pursuant to subsections (e) and (g) of this section, a fractional year of six months

or more shall be considered a full year in computing the number of years by which the rate of 2½ per centum is multiplied.

Lieutenant commanders.

(i) Women officers of the grade of lieutenant commander in the Regular Navy whose names, on June 30 of the fiscal year in which they complete twenty years' active commissioned service in the Regular Navy and the Naval Reserve, are not then on a promotion list for promotion to the next higher grade shall be placed on the retired list on that date.

Lieutenants and lieutenants (jg).

(j) Women officers of the grades of lieutenant and lieutenant (junior grade) in the Regular Navy whose names on June 30 of the fiscal year in which they complete thirteen and seven years' active commissioned service, respectively, in the Regular Navy and the Naval Reserve are not then on a promotion list for promotion to the next higher grade shall be honorably discharged from the Navy on that date with a lump-sum payment computed on the basis of two months active-duty pay at the time of their discharge for each year of commissioned service, but not to exceed a total of two years' pay: *Provided*, That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment.

Retired pay.

(k) The retired pay of a woman officer of the Regular Navy who is commissioned in the Regular Navy pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall not be less than 50 per centum of her active-duty pay at the time of retirement.

34 U. S. C. §§ 272a, 151, 691, 153, 15, 16, 228a; Supp. I, §§ 2, 15.

SEC. 208. All provisions of law now existing or hereafter enacted relating to male personnel of the Navy, except those provisions relating to the same subject matter specifically provided for in this title, shall, where applicable, be construed to include women: *Provided*, That so much of subsection 5 (a) of the Act of April 18, 1946 (60 Stat. 92), as amended, which reads "but no such person shall be appointed to a grade or rank higher than the highest grade or rank in which he served on active duty" shall not apply to any woman who may be appointed pursuant to that Act if she would have attained a higher grade or rank had she remained on active duty until the date of this Act.

34 U. S. C. § 15 (a).

Clothing and equipment.

SEC. 209. The Secretary of the Navy may prescribe the quantity and kind of clothing and equipment which shall be furnished annually to enlisted women of the Regular Navy, including that required upon their first reporting for duty, and the amount of a cash allowance to be paid to such enlisted women in any case in which such clothing and equipment is not so furnished to them.

Military duty, etc.

SEC. 210. The Secretary of the Navy may prescribe the manner in which women shall be trained and qualified for military duty in the Regular Navy, the military authority which they may exercise, and the kind of military duty to which they may be assigned: *Provided*, That they shall not be assigned to duty in aircraft while such aircraft are engaged in combat missions nor shall they be assigned to duty on vessels of the Navy except hospital ships and naval transports.

Pay, leave, and allowances.

SEC. 211. All provisions of law relating to pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, of male personnel of the Regular Navy are hereby made applicable to women personnel of the Regular Navy: *Provided*, That the husbands of women officers and enlisted personnel of the Regular Navy shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such officers and enlisted personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Dependents.

34 U. S. C. §§ 857-857g.

SEC. 212. Title V of the Naval Reserve Act of 1938 (56 Stat. 730),

as amended, is hereby further amended by striking out the present caption and sections 501 to 508, inclusive, thereof, and substituting therefor the following:

"TITLE V

"WOMEN IN THE NAVAL RESERVE

Enlistment or appointment.

"SEC. 501. Women may be enlisted or appointed in the Naval Reserve under the provisions of this Act, as now or hereafter amended, in such appropriate ratings or grades as may be prescribed by the Secretary of the Navy in the same manner and, except as otherwise provided in this title, under the same circumstances and conditions as men are enlisted or appointed in the Naval Reserve.

Military duty, etc.

"SEC. 502. The Secretary of the Navy may prescribe the manner in which women enlisted or appointed in the Naval Reserve shall be trained and qualified for military duty, the military authority they may exercise, and the kind of military duty to which they may be assigned: *Provided*, That they shall not be assigned to duty in aircraft while such aircraft are engaged in combat missions nor shall they be assigned to duty on vessels of the Navy except hospital ships and naval transports.

Pay, leave, and allowances.

"SEC. 503. The provisions of this Act, as now or hereafter amended, which relate to pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, for male personnel of the Naval Reserve, shall also apply to women personnel of the Naval Reserve: *Provided*, That the husbands of women personnel of the Naval Reserve shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Dependents.

Clothing and equipment.

"SEC. 504. The Secretary of the Navy may prescribe the quantity and kind of clothing and equipment to be furnished annually to enlisted women of the Naval Reserve, including that required upon their first reporting for active duty, and he may prescribe the amount of cash allowance to be paid to such enlisted women in any case in which such clothing and equipment is not so furnished to them.

Transfer to Naval Reserve.
34 U. S. C. §§ 857-857g.

"SEC. 505. All members of the Women's Reserve enlisted or appointed under the Act of July 30, 1942 (56 Stat. 730), as amended, are hereby transferred to the appropriate components of the Naval Reserve in the same temporary and permanent ratings or grades, with the same effective dates and dates of precedence, which they held in the Women's Reserve on the effective date of the Women's Armed Services Integration Act of 1948, and such transfer of enlisted personnel shall be for a period to be determined by the Secretary of the Navy but not longer than twelve months after the effective date of the Act last cited in this section."

Ante, p. 356.

Marine Corps.
Enlistment or appointment.

SEC. 213. (a) Women may be enlisted or appointed in the Regular Marine Corps under the provisions of this title, and the provisions of this title (except as may be necessary to adapt said provisions to the Marine Corps) are hereby made applicable to women enlisted or appointed in the Regular Marine Corps in the same manner as such provisions apply to women enlisted or appointed in the Regular Navy.

Authorized number.

(b) The number of enlisted women on the active list of the Regular Marine Corps at any one time shall not exceed 2 per centum of the enlisted strength now or hereafter authorized for the active list of the Regular Marine Corps: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of enlisted women in the Regular Marine Corps shall at no time exceed one thousand.

Limitation on number for two years.

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Commissioned and warrant officers.

(c) The number of commissioned and warrant women officers on the active list of the Regular Marine Corps at any one time shall not exceed 10 per centum of the authorized number of enlisted women of the Regular Marine Corps: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of women officers in the Regular Marine Corps shall at no time exceed one hundred commissioned women officers and ten warrant women officers, and such number of commissioned women officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

Limitation on number for two years.

Detail to office of Commandant of Marine Corps.

(d) From the women officers serving in the grade of major or above in the Marine Corps, one officer may be detailed to duty in the office of the Commandant of the Marine Corps to assist the Commandant in the administration of women's affairs. She shall have the rank of colonel while so serving, and shall be entitled to the pay and allowances as are now or may be hereafter prescribed by law for a colonel of the Regular Marine Corps, and her regular status as a commissioned officer in the Marine Corps shall not be disturbed by reason of such detail. The provisions of section 207 of this title relative to the retirement of women officers detailed as assistant to the Chief of Naval Personnel shall apply in the same manner and under the same relative conditions to women officers of the Marine Corps detailed to duty in the office of the Commandant of the Marine Corps as provided in this subsection.

Rank, pay, etc.

Ante, p. 366.

Termination of commission or warrant.

SEC. 214. (a) The Secretary of the Navy, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission or warrant of any woman officer in the Regular Navy or Marine Corps.

Termination of enlistment.

(b) The Secretary of the Navy, under such regulations as he may prescribe, may terminate the enlistment of any enlisted woman in the Regular Navy or Marine Corps, and each such person whose enlistment is so terminated shall be discharged from the service.

61 Stat. 829. 34 U. S. C., Supp. I, § 3a note.

SEC. 215. The provisions of title III of the Officer Personnel Act of 1947 shall not be applicable to women officers of the Regular Navy and Naval Reserve and those provisions of titles I and II of the said Act which are not inconsistent with the provisions of this Act shall be operative with regard to women officers of the Regular Navy from the effective date of this Act.

61 Stat. 798, 815.

Temporary appointments.

SEC. 216. Women officers of the Naval Reserve who on the date of approval of this Act are serving under temporary appointments in grades above commissioned warrant officer may continue to serve under such temporary appointments until such appointments are terminated by the President, or until such officers are appointed in the Regular Navy, but no such temporary appointment may continue in effect later than six months after June 30 of the fiscal year following that in which the present war shall end or the first day of the twelfth month following the effective date of this Act, whichever may be earlier: *Provided*, That, notwithstanding any other provisions of law, women officers of the Naval Reserve who at the time of appointment in the Regular Navy are serving under temporary appointments which by their terms are for a period of limited duration, may, on appointment in the Regular Navy, be given temporary appointments pursuant to the provisions of the Act of July 24, 1941 (55 Stat. 603), as amended, which shall be under the same conditions, in the same grade, and with the same precedence as those temporary appointments held by such officers in the Naval Reserve at the time of their appointment in the Regular Navy.

Appointment in Regular Navy.

34 U. S. C. §§ 350-350j; Supp. I, § 350g.

Nonapplicability.

SEC. 217. The provisions of this title shall not be construed to apply to women officers of the Navy Nurse Corps.

TITLE III

AIR FORCE

Enlistments and appointments.

SEC. 301. All laws or parts of laws which now or hereafter authorize enlistments, and appointments of commissioned and warrant officers in the Regular Air Force shall, subject to the provisions of this title, be construed to include authority to enlist and appoint women in the Regular Air Force.

Determination of authorized strength.

SEC. 302. The authorized commissioned, warrant, and enlisted strengths of female persons in the Regular Air Force shall, from time to time, be determined by the Secretary of the Air Force, within the authorized commissioned, warrant, and enlisted strengths of the Regular Air Force, but shall not exceed 2 per centum of such authorized Regular Air Force strengths, respectively: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of women in the Regular Air Force shall at no time exceed three hundred commissioned officers, forty warrant officers and four thousand enlisted women, and such number of commissioned female officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

Limitation on number for two years.

Appointment by President.

SEC. 303. (a) Commissioned female officers of the Regular Air Force shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years and who possess such qualifications as may be prescribed by the Secretary of the Air Force.

Original appointments.

(b) Except as modified or otherwise provided in this title or by other express provisions of law, original appointments of female officers of the Regular Air Force shall be made in the manner now or hereafter prescribed by law for male persons in the Regular Air Force except as may be necessary to adapt said provisions to such female officers.

Grades.

(c) Female officers shall be permanently commissioned in the Regular Air Force in grades from second lieutenant to lieutenant colonel, inclusive. The authorized number in permanent grade of lieutenant colonel shall be such as the Secretary of the Air Force shall from time to time prescribe but shall not exceed 10 per centum of the total authorized female commissioned strength.

61 Stat. 894.
10 U. S. C., Supp. I, § 559c.
Ante, p. 358.
Lieutenant colonels.

(d) The provisions of section 509 of the Officer Personnel Act of 1947 shall not be applicable to promotion of female officers to the grade of lieutenant colonel. Female officers shall be appointed in the permanent grade of lieutenant colonel only when a vacancy exists in the number of lieutenant colonels authorized by the Secretary of the Air Force for female officers and only when selected and recommended for that grade by a selection board under regulations prescribed by the Secretary of the Air Force.

Promotion list.
Post, p. 373.

(e) As soon as practicable after completion of the appointments provided for in section 308 of this title, the name of each such female commissioned officer shall be entered on the Air Force promotion list in such position among officers of her grade as may be determined by a board of general officers appointed for this purpose by the Secretary of the Air Force and under such regulations as he may prescribe: *Provided*, That all such female officers shall be placed on the Air Force promotion list without change among themselves in their relative positions then held on the interim promotion list established under the provisions of section 309 of this title.

Post, p. 374.

(f) Under regulations prescribed by the Secretary of the Air Force, any selection board convened to consider and recommend female offi-

cers of the Regular Air Force for promotion to any grade may contain female officers senior in permanent grade and temporary rank to any female officer being considered by such selection board for promotion.

Colonels.

(g) At any given time there may be one, but not more than one, female Air Force officer on duty serving in the temporary grade of colonel: *Provided*, That any female officer retired in the grade of colonel and recalled to active duty in such grade shall not be considered within this limitation. Appointment of a female Air Force officer on active duty to the temporary grade of colonel, if not sooner terminated, shall terminate on that date which is four years after the date of appointment to such temporary grade.

Retirement of officers.

(h) Female officers of the Regular Air Force shall be eliminated from the active list and retired or separated, as the case may be, under the provisions of law now or hereafter applicable to male officers generally of the Air Force promotion list, and they shall receive retired pay or severance pay, whichever is applicable, computed as provided under such law: *Provided*, That any female officer in the permanent grade of lieutenant colonel may, in the discretion of the Secretary of the Air Force, be retained on the active list until that date which is thirty days after the date upon which thirty "years' service" is completed: *Provided further*, That any female officer in the permanent grade of lieutenant colonel, who is serving in the temporary grade of colonel, may, in the discretion of the Secretary of the Air Force, be retained on the active list while serving in such temporary grade: *Provided further*, That any female Regular Air Force officer who shall have served two and one-half years on active duty in the temporary grade of colonel may, upon retirement, at the discretion of the President, be retired in such higher temporary grade and with retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which she would receive if serving on active duty in such grade, and if thereafter recalled to active duty shall be recalled in such grade: *Provided further*, That female officers in the permanent grade of major shall not be eliminated from the active list by reason of not having been selected for promotion to the permanent grade of lieutenant colonel: *Provided further*, That on and after June 30, 1953, each female officer in the permanent grade of major who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list on that date which is thirty days after the date upon which she completes twenty-five "years' service" unless she is appointed in the permanent grade of lieutenant colonel in the Regular Air Force before that date: *And provided further*, That in its application to female officers of the Regular Air Force the term "years' service" as used in section 514 of the Officer Personnel Act of 1947, and as used in this paragraph, shall be defined as the period of service credited to a female officer on appointment into the Regular Air Force, increased by the period of her active commissioned service in the Regular Air Force subsequent to such appointment.

"Years' service."

61 Stat. 902.
10 U. S. C., Supp. I, §§ 941a, 971b.
Ante, p. 359.

Warrant officers.

SEC. 304. Under such regulations as the Secretary of the Air Force may prescribe, female citizens of the United States may be appointed warrant officers in the Regular Air Force in each of the several warrant officer grades under the provisions of law now or hereafter applicable to the appointment of male persons in such warrant officer grades in the Regular Air Force.

Enlistments and reenlistments.

SEC. 305. Original enlistments and reenlistments in the Regular Air Force from among female persons who possess such qualifications as the Secretary of the Air Force may prescribe may be accepted under applicable provisions of law which govern original enlistments and reenlistments in the Regular Air Force of male persons except as may be necessary to adapt said provisions to such female persons: *Provided*, That no woman shall be enlisted in the Regular Air Force who

Age requirement.

has not attained the age of eighteen: *And provided further*, That no woman under the age of twenty-one years shall be enlisted in the Regular Air Force without the written consent of her parents or guardians, if any.

Consent of parents or guardians.

SEC. 306. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers, warrant officers, and enlisted men of the Regular Air Force; to former male commissioned officers, warrant officers, and enlisted men of the Regular Air Force; and to their dependents and beneficiaries, shall in like cases be applicable, respectively, to female commissioned officers, warrant officers, and enlisted women of the Regular Air Force, to former female commissioned officers, warrant officers, and enlisted women of the Regular Air Force, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to such female persons: *Provided*, That the husbands of such female persons shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such female persons shall not be considered dependent unless their father is dead or they are in fact dependent on their mother for their chief support.

Applicability of laws.

Dependents.

SEC. 307. (a) The Secretary of the Air Force shall prescribe the military authority which female persons of the Air Force may exercise, and the kind of military duty to which they may be assigned: *Provided*, That they shall not be assigned to duty in aircraft while such aircraft are engaged in combat missions.

Military duty, etc.

(b) The Secretary of the Air Force, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission, warrant, or enlistment of any female person in the Regular Air Force.

Termination of commission, etc.

SEC. 308. (a) At any time not later than two years following the date of enactment of this title, the President is authorized to appoint female officers in the Regular Air Force, by and with the advice and consent of the Senate, in the grades of second lieutenant, first lieutenant, captain, and major, subject to the conditions and limitations hereinafter set forth. Persons appointed under the provisions of this section shall (1) be female citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and have such other qualifications as may be prescribed by the Secretary of the Air Force; and (2) have served honorably in the active Federal service as commissioned officers in the armed forces of the United States, at some time between July 1, 1943, and the date of enactment of this Act.

Appointment of officers.

(b) Each woman appointed as a commissioned officer in the Regular Air Force under the provisions of this section shall be credited, at the time of appointment, with service equivalent to the total period of active Federal service performed by her after attaining the age of twenty-one years as a commissioned officer in the armed forces of the United States from July 1, 1943, to the date of such appointment, or a period of service equal to the number of days, months, and years by which her age at the time of such appointment exceeds twenty-five years, whichever period is the greater: *Provided*, That in computing the total period of active Federal commissioned service of any such person who was honorably discharged or relieved from active service subsequent to May 12, 1945, there shall also be credited the period from the date of her discharge or relief from active service to the date of her appointment in the Regular Air Force under the provisions of this section.

Service credit.

(c) For the purpose of determining the grade in which each such person shall be originally appointed under the provisions of this section, a computation shall be made of the amount of service with

which each such person would have been credited as of the date of enactment of this section under the provisions of subsection (b) of this section had she been appointed in the Regular Air Force under the provisions of this section on that date. The amount of service so computed for each such person is hereinafter referred to as the amount of such person's "enactment service". Persons with less than three years "enactment service" shall be appointed in the grade of second lieutenant; persons with three or more years "enactment service", but less than seven years "enactment service", shall be appointed in the grade of first lieutenant; persons with seven or more years "enactment service", but less than fourteen years "enactment service", shall be appointed in the grade of captain; and persons with fourteen or more years "enactment service", but less than twenty-one years "enactment service", shall be appointed in the grade of major.

"Enactment service."

Grades.

(d) No woman with twenty-one or more years' "enactment service" shall be appointed as a commissioned officer in the Regular Air Force under the provisions of this section.

Restriction on appointment.

(e) For the purpose of determining eligibility for promotion, each person appointed as a commissioned officer of the Regular Air Force under the provisions of this section shall be credited, as of the time of such appointment, with continuous commissioned service on the active list of the Regular Air Force equal to the period of service credited to her under subsection (b) of this section.

Interim promotion list.
Ante, p. 373.

SEC. 309 (a) Upon appointment of female officers in the Regular Air Force under the provisions of section 308 of this title, the names of all female commissioned officers of the Regular Air Force shall be carried on an interim Air Force promotion list for female officers and shall on each such officer's appointment be placed thereon next below the officer of her grade on such list having the same or next greater amount of service credit for promotion purposes.

Vacancies.

(b) The Secretary of the Air Force following enactment of this Act shall reserve such portion of the vacancies existing on the Air Force promotion list as he may deem necessary in the grades of captain, major, and lieutenant colonel for promotion thereto of qualified female officers. There shall be no permanent grade promotion appointments of female officers of the Regular Air Force to the grades of captain, major, and lieutenant colonel until that date which is fifteen months after the date of enactment of this title; such promotions shall be made on such date or at the earliest practicable time thereafter: *Provided*, That selection of such female officers for promotion shall be governed by regulations prescribed by the Secretary of the Air Force, which regulations, except where inconsistent with this section, shall be in general similar to the provisions prescribed for promotion of officers on the Air Force promotion list set out in section 518 of the Officer Personnel Act of 1947: *Provided further*, That in prescribing regulations for promotion of female officers to the grade of lieutenant colonel, the provisions of section 518 (b) thereof shall not be followed: *And provided further*, That the promotion of female officers hereunder shall be made upon the interim promotion list described in this section.

Selection for promotion.

61 Stat. 910.
10 U. S. C., Supp. I, § 559i.

Officers' and Enlisted Section of Air Force Reserve.

SEC. 310. (a) Effective on the date of enactment of this title, the appointment and enlistment of women in the Officers' and Enlisted Section of the Air Force Reserve shall be authorized.

Applicability of laws.

(b) Except as otherwise specifically provided, all laws now applicable to male commissioned officers and former commissioned officers of the Officers' Reserve Corps, to enlisted men and former enlisted men of the Enlisted Reserve Corps, and to their dependents and beneficiaries, shall be applicable, respectively, to female commissioned officers and former commissioned officers, to enlisted women and former enlisted women, of the Air Force Reserve, and to their depend-

ents and beneficiaries, except as may be necessary to adapt said provisions to such female persons: *Provided*, That the husbands of such female persons shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such female persons shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

Dependents.

(c) Appointments of women to commissioned grade in the Air Force Reserve may be made by the President alone in grades from lieutenant colonel to second lieutenant, inclusive, from female citizens of the United States who have attained the age of twenty-one years and who possess such other qualifications as may be prescribed by the Secretary of the Air Force: *Provided*, That any person who has served satisfactorily in the temporary grade of colonel in the Women's Army Corps established by Act of July 1, 1943 (57 Stat. 371), or in the temporary grade of colonel in the Regular Air Force, may, if otherwise qualified, be appointed in the grade of colonel in the Air Force Reserve.

Appointments in Air Force Reserve.

50 U. S. C. app. §§ 1551-1555; Supp. I, §§ 1551-1555 notes.

(d) Enlistments of women in the Air Force Reserve may be accepted under the provisions of law now applicable to enlistments of male persons in the Enlisted Reserve Corps, under such regulations, in such grades or ratings, and for such periods of time as may be prescribed by the Secretary of the Air Force.

Enlistments in Air Force Reserve.

(e) The President may form any or all such female persons of the Air Force Reserve into such organizations and units as he may prescribe.

Approved June 12, 1948.

[CHAPTER 450]

AN ACT

To authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes.

June 12, 1948
[S. 1676]
[Public Law 626]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army and the Secretary of the Air Force are hereby authorized to establish or develop military installations and facilities by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities; or by the completion of such construction, installation, or equipment specifically approved by the Secretary of the Army or the Secretary of the Air Force and heretofore undertaken as follows:

Construction at military installations.

CONTINENTAL UNITED STATES

Alamogordo Army Airfield, New Mexico: Family quarters, rocket-firing facilities, and utilities; $1,622,720.

Andrews Field, Maryland: Family quarters and utilities; $3,143,630.

Army and Navy General Hospital, Hot Springs, Arkansas: Family quarters, barracks, and utilities; $852,100.

Army and Navy Medical Procurement Office, Engineering and Development Division, Fort Totten, New York: Medical equipment laboratory; $390,000.

Anniston Ordnance Depot, Alabama: Waste disposal facilities; $60,000.

Fort Belvoir, Virginia: Family quarters and utilities; $792,380.

Fort Benning, Georgia: Family quarters and utilities; $1,466,050.

Bergstrom Field, Texas: Family quarters and utilities; $1,501,970.

Fort Bliss, Texas: Family quarters and utilities; $1,113,000.

Fort Bragg, North Carolina: Family quarters and utilities; $1,778,400.

California Institute of Technology, California: Completion of supersonic wind tunnel; $410,700.

Chanute Field, Illinois: Family quarters and utilities, $1,310,800.

Craig Field, Alabama: Crash station; $26,370.

Camp Detrick, Maryland: Family quarters, munitions-loading building, crop research, and utilities; $862,830.

Edgewood Arsenal, Maryland (including Technical Command, Army Chemical Center, and Chemical Corps School): Family quarters, chemical laboratory facilities, and utilities; $959,950.

Fitzsimons General Hospital, Denver, Colorado: Family quarters and utilities; $449,050.

Forest Glen, Maryland: Complete plans and specifications for construction of an Army Institute of Pathology Building including all necessary auxiliary facilities; $600,000.

Hamilton Field, California: Family quarters, and utilities; $61,800.

Fort Hamilton, New York Port of Embarkation, New York: Family quarters and utilities; $575,230.

Camp Hood, Texas: Family quarters and utilities; $4,455,950.

Fort Sam Houston, Texas (including Brooke Army Medical Center): Family quarters and utilities; $1,288,900.

Huntsville Arsenal, Alabama: Reservation fencing; $20,600.

Fort Jay, New York: Family quarters and utilities; $382,500.

Kearney Army Airfield, Nebraska: Family quarters and utilities; $1,511,840.

Keesler Field, Mississippi: Family quarters and utilities; $1,356,700.

Kelly Field, Texas: Helicopter engine testing facilities; $152,000.

Fort Knox, Kentucky: Family quarters and utilities; $2,833,380.

Fort Leavenworth, Kansas: Printing plant, library addition, electrical supply and distribution facilities; $1,161,500.

Camp Lee, Virginia: Family quarters, bachelor quarters, barracks, and utilities; $2,902,870.

Letterman General Hospital, San Francisco, California: Complete plans and specifications for construction of a new one-thousand-five-hundred-bed general hospital, including all necessary auxiliary facilities; $940,000.

Fort Lewis, Washington: Family quarters and utilities; $2,647,500.

Lexington Signal Depot, Kentucky: Garage and equipment storage facilities; $25,000.

Lowry Field, Colorado: Family quarters and utilities, $1,310,800.

MacDill Field, Florida: Family quarters, control tower, crash station, and utilities, $1,030,380.

Madigan General Hospital, Fort Lewis, Washington: Family quarters and utilities; $369,600.

Malta Test Station, New York: Hydraulic test laboratory; $205,000.

Marietta Army Airfield, Georgia: Control tower; $54,500.

Fort McPherson, Georgia: Family quarters and utilities; $360,900.

Fort George G. Meade, Maryland: Family quarters and utilities; $995,800.

Mountain Home Army Airfield, Idaho: Family quarters and utilities; $940,880.

Muroc Army Airfield, California: Rocket static test facilities, control tower, all-altitude speed course; $2,746,500.

Fort Myer, Virginia: Replace field commissary refrigerator facilities; $108,000.

Oakland Army Base, San Francisco Port of Embarkation, California: Family quarters, barracks, and utilities; $907,580.

Oliver General Hospital, Augusta, Georgia: Family quarters and utilities, $231,000.

Percy Jones General Hospital, Battle Creek, Michigan: Family quarters and utilities; $231,000.

Picatinny Arsenal, New Jersey: Research and development facilities for high explosives, completed bombs, rockets and rocket powders; laundry; $1,978,800, of which $1,228,800 is authorized to be expended during the fiscal year 1948.

Presidio of San Francisco, California: Family quarters and utilities; $360,900.

Randolph Field, Texas: Family quarters, control tower, and utilities; $1,465,300.

Rapid City Army Airfield, South Dakota: Development of facilities for VVHB; $5,000,000.

Fort Riley, Kansas: Family quarters and utilities; $720,800.

Roswell Army Airfield, New Mexico: Training facilities; $95,790.

Sacramento Signal Depot, California: Irrigation and sprinkling; $47,970.

San Antonio Army Airfield, Military Training Center, Texas: Family quarters and utilities; $1,310,800.

Scott Field, Illinois: Family quarters and utilities; $1,316,500.

Selfridge Field, Michigan: Family quarters, crash-truck station, and utilities; $800,840.

Fort Sheridan, Illinois: Family quarters and utilities; $360,900.

Fort Sill, Oklahoma: Family quarters and utilities; $573,500.

Camp Stoneman, San Francisco Port of Embarkation, California: Family quarters and utilities; $878,570.

Tinker Field, Oklahoma (including Oklahoma City Air Depot): Jet engine test facilities; $362,000.

Two Rock Ranch Station, California: Family quarters, water pipe line, and utilities; $149,800.

United States Military Academy, West Point, New York: Family quarters and utilities; complete plans and specifications for a new academic building; $3,249,750.

Valley Forge General Hospital, Phoenixville, Pennsylvania: Family quarters and utilities; $231,000.

Vint Hill Farms Station, Virginia: Family quarters and utilities; $782,300.

Watertown Arsenal, Massachusetts: Magnesium shop building; $87,000.

White Sands Proving Ground, New Mexico: Family quarters, laboratory, storage and testing facilities for rocket development, administration facilities, central fire station, hospital expansion, and utilities; $3,887,430.

Williams Field, Arizona: Single engine gunnery range; $51,500.

Wingate Ordnance Depot, New Mexico: Additional well; $20,000.

Carswell Air Force Base, Texas: Family quarters, ammunition storage, training facilities, and utilities; $2,394,770.

Wright Field, Ohio: Rotor wing testing facilities, armament laboratory test facilities, and scavenging building for wind tunnels; $1,887,000.

Yuma Test Branch of the Engineer Board, Arizona: Family quarters, bachelor quarters, infirmary, post exchange, and utilities; $389,620.

Various Air Force stations: Removal of flight hazards, and construction of night lighting systems, low approach instrument landing systems, high frequency direction finding systems, radio range stations, sprinkler systems and fire prevention facilities; $5,085,500.

OUTSIDE CONTINENTAL UNITED STATES

Whittier, Alaska: Development of port facilities; $5,332,277.

Army Airfield at Mile 26, near Fairbanks, Alaska: Family quarters, barracks, and utilities; $2,021,118.

Ladd Field, Alaska: Family quarters, bachelor quarters, barracks, operational facilities, hospital, community facilities, and utilities; $20,694,850, of which $11,694,850 is authorized to be expended during the fiscal year 1948.

Fort Richardson-Elmendorf Field, Alaska: Family quarters, bachelor quarters, barracks, storage facilities, communication facilities, school, motor pool facilities, and utilities; $10,190,375.

Adak Army Base and Airfield, Aleutian Islands: Family quarters, barracks, communication facilities, and utilities; $4,334,600.

Army Airfield, Fort Yukon, Alaska: Establishment of fighter field with necessary operational facilities, bachelor quarters, barracks, mess hall, and utilities; $4,160,950.

Army Airfield, Nenana, Alaska: Operational facilities, barracks, and utilities; $505,000.

Adak, ACS Station, Aleutian Islands: Family quarters, operational buildings, garages, and utilities; $950,050.

Anchorage ACS Station, Alaska: Family quarters and utilities; $514,280.

Big Delta ACS Station, Alaska: Family quarters and utilities; $57,410.

Ketchikan ACS Station, Alaska: Family quarters, operational buildings, and utilities; $114,160.

Cathedral Bluff ACS Station, Alaska: Family quarters and utilities; $56,160.

Fort Randall ACS Station (Cold Bay), Alaska: Family quarters and utilities; $57,410.

Juneau ACS Station, Alaska: Family quarters and utilities; $56,160.

Northway ACS Station, Alaska: Family quarters and utilities; $56,160.

Naknek ACS Station, Alaska: Family quarters, operational buildings, garage, and utilities; $79,760.

Skagway ACS Station, Alaska: Family quarters, operational buildings, and utilities; $107,750.

Lena Point ACS Station, Alaska: Operational buildings, quarters, and utilities; $46,000.

ACS Station between Haines and Juneau, Alaska (location to be determined): Operational buildings, quarters, and utilities; $46,000.

Bethel ACS Station, Alaska: Operational buildings; $30,000.

Kodiak ACS Station, Alaska: Operational buildings; $14,420.

Nome ACS Station, Alaska: Family quarters, operational building, and utilities; $77,944.

Sitka ACS Station, Alaska: Operational building, and garage; $8,600.

New Tripler General Hospital, Territory of Hawaii: Family quarters, bachelor quarters, and utilities; $3,472,960.

Hickam Field, Territory of Hawaii: Family quarters (conversions) and barracks (reconstruction); $2,242,200.

Fort Armstrong, Territory of Hawaii: Telephone-exchange building; $55,000.

Helemano, Territory of Hawaii: Family quarters and utilities; $473,415.

Waipio, Territory of Hawaii: Family quarters and utilities; $207,760.

Fort DeRussey, Territory of Hawaii: Family quarters and utilities; $528,220.

Army Ground Force Bases, Marianas: Housing, storage, and utilities; $3,803,940.

Air Force bases, Marianas: Barracks, storage, and utilities; $5,376,708.

Clark-Stotsenberg Area, Philippine Islands (Army Security Agency): Barracks and utilities; $669,300.

Albrook Field, Canal Zone: Sewerage; $276,000.

Fort Brooke, Puerto Rico: Family quarters, water storage, and utilities; $324,100.

Fort Buchanan, Puerto Rico: Bachelor quarters, water storage, and utilities; $466,500.

Borinquen Field, Puerto Rico: Water storage and distribution facilities; $165,000.

Henry Barracks, Puerto Rico: Barracks and utilities; $561,200.

Keflavik Airport, Iceland: Development of Keflavik Airport; $10,352,100.

Harmon Field, Newfoundland: Family quarters, operational facilities, laundry and dry-cleaning facilities, warehouses, and utilities; $12,087,100.

Frobisher Bay (Upper Frobisher), Canada: Family quarters and utilities; $396,905.

Fort Chimo, Canada: Family quarters and utilities; $214,570.

Kindley Field—Fort Bell, Bermuda: Family quarters (including conversions), water evaporation building, and utilities; $2,359,938.

Alaska: Classified installation for the Air Force; $5,000,000.

Newfoundland: Two classified installations for the Air Force; $3,500,000.

Acquisition of land.

SEC. 2. To accomplish the above-authorized construction the Secretary of the Army and the Secretary of the Air Force are authorized to acquire lands and rights pertaining thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended.

31 U. S. C. § 529.

Appropriation authorized.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary toward meeting the purposes of this Act, but not to exceed $92,846,000 for public works in the continental United States during the fiscal year 1948, which includes $5,000,000 for emergency projects within the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force, and $122,200,000 for public works outside continental United States during fiscal year 1948, which includes $20,000,000 for emergency projects outside the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force. With respect to projects within and without continental United States, the approximate partial cost for each project enumerated and authorized in section 1 of this Act may, in the discretion of the Secretary of the Army or the Secretary of the Air Force, be varied upward or downward 10 per centum, but the total cost of the work on the projects in continental United States authorized by this Act shall not exceed $85,886,000 and the total cost of the work outside continental United States authorized by this Act shall not exceed $122,044,350. Any such appropriation shall be available under the direction of the Secretary of the Army or the Secretary of the Air Force for expenses incident to construction, including administration, overhead, planning, and surveys, and shall be available until expended: *Provided*, That any work undertaken under this authorization may be prosecuted by direct appropriations, or by both direct appropriations and continuing contracts subject to the availability of subsequent appropriations: *Provided further*, That no money from current or future appropriations for the Army or the

Limitation on 1948 funds.

Variation of partial cost.

Restriction on use of funds.

Air Force shall be expended for the construction of family quarters for personnel of the Army or the Air Force of greater net floor area in square feet per unit than the following:

For enlisted men, one thousand and eighty.

For warrant officers, flight officers, and commissioned officers of and below the rank of captain, one thousand two hundred and fifty.

For majors and lieutenant colonels, one thousand four hundred.

For colonels, one thousand six hundred and seventy.

For general officers, two thousand one hundred.

"Net floor area." For the purposes of this Act, net floor area is defined as the space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches: *Provided*, That these areas may be increased not to exceed 10 per centum at activities outside the continental United States, and not to exceed 10 per centum for quarters of commanding officers of stations, bases, or installations based on the normal rank of such officers: *Provided further*, That quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility, rating, and pay as determined by the Secretary of the Army or the Secretary of the Air Force to be appropriate: *Provided further*, That no family quarters for personnel of the Army or the Air Force shall be constructed with the funds authorized for appropriation herein in excess of a net floor area of one thousand and eighty square feet per unit: *Provided further*, That in any case in which the construction at any station of family quarters having a net floor area in excess of one thousand and eighty square feet is prohibited by the provisions of the foregoing proviso, an equal number of family quarters having a net floor area not in excess of one thousand and eighty square feet may be constructed at such station and any funds saved as a result of the construction of such smaller family quarters or as a result of the succeeding proviso may be utilized to construct family quarters having a net floor area not in excess of one thousand and eighty square feet at any Army or Air Force station scheduled for retention in the permanent Military Establishment: *Provided further*, That family quarters constructed with the funds authorized for appropriation herein shall be of the multiple type (generally eight families to a unit) or apartment type (generally six families to a unit) except where tropical or desert climates render the use of multiple type dwellings deleterious to health and welfare and except where one, two or three two-family units are necessary to provide the exact number of family quarters authorized herein for construction at a station.

Civilian quarters.

Family quarters.

Repeals. SEC. 4. The following laws and parts of laws are hereby repealed: That part of the Act of March 2, 1905 (33 Stat. 836; 10 U. S. C. 1331) reading as follows: "No military post within the United States shall be established without the express authority of Congress"; that part of the Act of May 12, 1917 (40 Stat. 74; 10 U. S. C. 1333) reading as follows: "*Provided further*, That hereafter no expenditure exceeding $5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War, upon detailed estimates submitted to him"; that part of the Act of February 27, 1893 (27 Stat. 484; 10 U. S. C. 1336) reading as follows: "The erection, construction, and repair of all buildings and other public structures in the Quartermaster Corps shall, as far as may be practicable, be made by contract, after due legal advertisement"; and that part of the Act of May 12, 1917 (40 Stat. 58; 24 U. S. C. 21) reading as follows: "*Provided*, That no building or structure of a permanent nature, the cost of which shall hereafter exceed $30,000, shall be erected for use as an Army hospital unless by special authority

of Congress". Revised Statutes, 1136, as amended by section 1 of the Act of February 27, 1877 (19 Stat. 242; 10 U. S. C. 1339), is hereby further amended by deleting the figure "$20,000" and inserting the figure "$100,000". The following parts of Acts are hereby repealed, and shall not be applicable to contracts or expenditures under the appropriations "Engineer Service, Army", contained in the Military Appropriation Acts 1946 and 1947: That part of section 1 of the Act of June 25, 1910 (36 Stat. 721), which reads as follows: "*Provided*, That hereafter no money appropriated for military posts shall be expended for the construction of quarters for officers of the Army, or for barracks and quarters for the artillery the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed, in the case of quarters of a general officer, the sum of fifteen thousand dollars, of a colonel or an officer above the rank of captain, twelve thousand dollars, and of an officer of and below the rank of captain, nine thousand dollars", as modified by section 1 of the Act of February 25, 1927 (44 Stat. 1235), which reads as follows: "*And provided further*, That hereafter no part of this appropriation or any appropriation hereafter made shall be expended for the construction of quarters for officers of the Army in the United States or its possessions, the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of an officer above the rank of captain, $14,500, and of an officer of and below the rank of captain, $12,500."

Acts repealed in part.

59 Stat. 395; 60 Stat. 552.
10 U. S. C. § 1337.

Approved June 12, 1948.

[CHAPTER 451]

AN ACT

To authorize the payment of a lump sum, in the amount of $85,000, to the village of Highland Falls, New York, as a contribution toward the cost of construction of a water-filtration plant, and for other purposes.

June 12, 1948
[H. R. 2359]
[Public Law 627]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the village of Highland Falls (sometimes referred to as "Highlands"), in the county of Orange and State of New York, the sum of $85,000 as a contribution to the cost of construction of a water-filtration plant: *Provided*, That said village, as a condition of the payment of said sum, shall undertake to construct a water-filtration plant capable of furnishing potable filtered water to the inhabitants of said village, and to such other users as may now or hereafter be served by the village water system, at a rate of one million five hundred thousand gallons per day, and the acceptance by the village of the sum herein authorized to be appropriated shall constitute a binding agreement on the part of the village to construct a water-filtration plant which shall meet the requirements prescribed in this proviso: *And provided further*, That said village, upon receipt of payment of said sum, shall give a complete release to the United States for any damage to the village, through increased turbidity of Highlands Brook (otherwise known as Buttermilk Falls Brook), resulting from construction activities heretofore or hereafter undertaken by the Department of the Army in connection with the construction of a moving target range and golf course on the military reservation at West Point.

Highland Falls, N. Y.
Water-filtration plant.

Release of U. S. from damages.

Approved June 12, 1948.

[CHAPTER 452]

AN ACT

June 12, 1948
[H. R. 4721]
[Public Law 628]

To remove the statutory limit of appropriation expenditures for repairs or changes to a vessel of the Navy.

Repair of naval vessels.
Repeals.
5 U. S. C. § 468.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of the Naval Appropriation Act of March 2, 1907 (34 Stat. 1176), which appears in lines 43 to 51 of page 1195 of volume 34 of the Statutes at Large under the heading "Construction and Repair of Vessels" under the title "Bureau of Construction and Repair"; the proviso of the Naval Appropriation Act of March 3, 1909 (35 Stat. 753), which appears in lines 21 to 30 of page 769 of volume 35 of the Statutes at Large under the heading "Construction and Repair of Vessels" under the title "Bureau of Construction and Repair"; the paragraph of the Naval Appropriation Act of August 29, 1916 (39 Stat. 556), which appears in lines 45 to 49 of page 605 of volume 39 of the Statutes at Large under the heading "Construction and Repair of Vessels" under the title "Bureau of Construction and Repair"; and the Act of July 18, 1935 (49 Stat. 482), are hereby repealed.

34 U. S. C. § 486; 5 U. S. C. § 468 note.

Restriction on use of funds.

SEC. 2. No funds appropriated for the repair or alteration of any naval vessel shall be utilized to make any repairs or alterations to a vessel which result in a change of the category or type of such vessel, unless such funds have been specifically made available for such purpose.

Approved June 12, 1948.

[CHAPTER 453]

AN ACT

June 12, 1948
[H. R. 4954]
[Public Law 629]

To authorize the construction, operation, and maintenance, under Federal reclamation laws, of the Kennewick division of the Yakima project, Washington.

Kennewick division of Yakima project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of irrigating lands; of generating, transmitting, and marketing hydroelectric energy; for the preservation and propagation of fish and wildlife; and looking to the completion of the Yakima project, there is hereby authorized to be constructed, operated, and maintained, in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) the Kennewick division of the Yakima project, composed of the following principal units, to wit:

43 U. S. C. § 372 *et seq.*

Prosser-Chandler power canal.
Chandler hydroelectric power and hydraulic pumping plant.
Main canal.
Kiona wasteway.
Amon siphon and hydraulic pumping plant.
Amon wasteway.
Lateral system.
Improvements for fish and wildlife.

Nonreimbursable costs.

SEC. 2. Construction costs allocated to the conservation and propagation of fish and wildlife by the Secretary of the Interior in accordance with the provisions of the Act of August 14, 1946 (Public Law 732, Seventy-ninth Congress), and operation and maintenance costs attributable to operations for the preservation and propagation of fish and wildlife shall be nonreimbursable.

60 Stat. 1080.
16 U. S. C. §§ 661-666c.

Sale of electric power and energy.

SEC. 3. The Secretary of the Interior is authorized to enter into contracts for the sale of electric power and energy not required for project uses, hereinafter termed commercial power and energy, at

such rates as in his judgment will produce power revenues which, together with power revenues from all other sales of power and energy, will be at least sufficient to cover (1) an appropriate share of the annual operation and maintenance cost, including reasonable provision for replacements; (2) the return, within not exceeding sixty-six years from the date upon which each feature becomes revenue producing, of an appropriate share of the construction investment properly allocable by the Secretary to commercial power and energy together with interest on the unpaid balance at a rate of not less than 2½ per centum per annum; (3) the return, without interest, within a period not exceeding sixty-six years, and, with respect to each irrigation block, within a period conforming so far as practicable to the period within which water users are required to repay their share of the irrigation costs of that share of the investment found by the Secretary to be properly allocable to irrigation but assigned for return from net power revenues.

Repayment contracts.

SEC. 4. The Secretary of the Interior is authorized to enter into contracts for repayment of those construction costs of the development assigned to be repaid by the project water users, which, in the discretion of the Secretary, may require, among other things, that those charges be distributed between the presently irrigated lands and the new lands and among farm units in a manner that takes into account the productivity of the land and in the case of new lands the estimated cost of preparing the land for irrigation, all in the manner and to the extent that the Secretary shall find to be proper: *Provided*, That these charges shall be such as will provide for the payment of (1) an appropriate share of the annual operation and maintenance cost, including reasonable provisions for replacements, and (2) repayment within a period not exceeding sixty-six years without interest of an appropriate share of that part of the construction cost which can properly be allocated to irrigation and probably be repaid by the water users.

Power and energy revenues.

SEC. 5. The power and energy revenues to be applied toward the fulfillment of the obligation to return that share of the investment found by the Secretary to be properly allocable to irrigation but assigned for return from net power and energy revenues may include one-fifth of the revenues derived from the interest component of power rates in addition to any and all sums otherwise assigned for such purposes from power revenues.

Extra capacity in main canal.

SEC. 6. The Secretary of the Interior is hereby authorized to construct extra capacity in the main canal for the future irrigation of approximately seven thousand acres of land, in addition to the presently proposed development, and to recognize the cost of providing such extra capacity as a deferred obligation to be paid at such time as the additional area may be brought into the project.

Appropriation authorized.

SEC. 7. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this Act.

Approved June 12, 1948.

[CHAPTER 454]

AN ACT

To amend paragraph 1772 of the Tariff Act of 1930, as amended.

June 12, 1948
[H. R. 5553]
[Public Law 630]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1772 of the Tariff Act of 1930, as amended, is amended by striking out "July 1, 1948," and inserting in lieu thereof "July 1, 1949,".

61 Stat. 716.
19 U. S. C., Supp. I, § 1201, par. 1772.

Approved June 12, 1948.

[CHAPTER 455]

AN ACT

June 12, 1948
[H. R. 5587]
[Public Law 631]

To add certain lands to the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes.

Theodore Roosevelt National Memorial Park.
Ante, p. 352; *post*, p. 1102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby made a part of the Theodore Roosevelt National Memorial Park, subject to all laws and regulations applicable thereto:

Beginning at the southwest corner of section 17, township 147 north, range 100 west; thence north along the west boundaries of sections 17, 8, 5, township 147 north, range 100 west, and section 32 to the southwest corner of section 29, township 148 north, range 100 west; thence east to the southwest corner of the southeast quarter of section 29; thence north to the northwest corner of the southwest quarter of the northeast quarter of section 29; thence east to the northeast corner of the southeast quarter of the northeast quarter of section 29; thence north along west boundary of sections 28 and 21 to the west quarter corner of section 21; thence east to the east quarter corner of section 21; thence north along west boundary of section 22 to the northwest corner of section 22; thence east along the north boundaries of sections 22, 23, 24, township 148 north, range 100 west and sections 19 and 20 to the north quarter corner of section 20, township 148 north, range 99 west; thence south to the northwest corner of the southeast quarter of section 20; thence east to the east quarter corner of section 20; thence south to the southeast corner of section 20; thence along the north boundaries of sections 28, 27, and 26, township 148 north, range 99 west, to the northeast corner of section 26; thence south along east boundaries of sections 26 and 35 to the east quarter corner of section 35, township 148 north, range 99 west; thence west to the north bank of Little Missouri River; thence following the north bank of the Little Missouri River in a generally westerly direction to where the north bank of the river crosses the north boundary of section 4, township 147 north, range 99 west; thence west to the northwest corner of section 4; thence south to the southeast corner of section 5; thence west along the south boundaries of sections 5 and 6, township 147 north, range 99 west, and section 1, township 147 north, range 100 west to the northeast corner of section 11; thence south along east boundaries of sections 11 and 14 to the southeast corner of section 14; thence west along the south boundaries of sections 14, 15, 16, and 17 to the point of beginning, all west of the fifth principal meridian.

Acquisition of non-Federal land.

SEC. 2. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within sections 1, 12, and 13, township 148 north, range 100 west, and sections 6, 7, and 18, township 148 north, range 99 west.

Right-of-way for stockmen.

Reserving, however, to the stockmen of the surrounding area a perpetual right-of-way through the park for the trailing of livestock, to and from the railroad, along and adjacent to the Little Missouri River, being the same trail or route which has been used by the stockmen for that purpose since the beginning of the livestock industry in the area.

Administrative jurisdiction.

Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States.

Approved June 12, 1948.

[CHAPTER 456]

AN ACT

June 12, 1948
[H. R. 6056]
[Public Law 632]

To amend an Act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved February 9, 1881, entitled "An act to grant the right of way for railroad purposes through certain lands of the United States in Richmond County, New York", being chapter 41 of the Public Acts of the Forty-sixth Congress of the United States passed at the third session thereof be, and it hereby is, altered or amended to read:

Richmond County, N. Y.
Railroad right-of-way.

21 Stat. 324.

"That a right-of-way by tunnel through the lands of the United States, now occupied by the Coast Guard in the Department of the Treasury and by the Post Office Department, in the vicinity of the municipal ferry terminal at Saint George, in the Borough and County of Richmond, in the City and State of New York, is hereby granted to The Staten Island Rapid Transit Railway Company, its successors and assigns, for the purpose of widening, to facilitate the reconstruction of said municipal ferry terminal, the existing tunnel constructed pursuant to the grant contained in the Act hereby amended, and for the purpose of continuing the operation of its railroad through the same, in, through, and beneath the surface of all that plot, piece, or parcel of land, bounded and described as follows: Beginning at a point where the prolongation southerly of the easterly side of Richmond Terrace intercepts the south line of South Street, said point having coordinates south five thousand eight hundred fifteen and six hundred forty-four one-thousandths, west eight thousand eight hundred eighty-six and eight hundred fifty one-thousandths in the City of New York coordinate system established by the United States Coast and Geodetic Survey for the Borough of Richmond, and running thence in an easterly direction along said south side of South Street by a curve to the right with a radius of three hundred five and sixty-five one-hundredths feet, a distance of twenty-one and three one-hundredths feet, to a point; thence continuing along said south line of South Street north eighty degrees twelve minutes twenty-six and five-tenths seconds east, thirty-six and forty-nine one-hundredths feet to a point; thence south fourteen degrees two minutes eighteen seconds west, twenty-seven and seventy-three one-hundredths feet to a point; thence south thirty-three degrees thirty-seven minutes forty-five seconds west, twenty-five and twenty-six one-hundredths feet to a point; thence south ten degrees fourteen minutes twenty-seven seconds west, four hundred forty-four and sixty-two one-hundredths feet to a point in the dividing line between the lands of the United States of America and lands of The Staten Island Rapid Transit Railway Company; thence along said dividing line north eighty degrees forty-five minutes twenty-two seconds west, forty-nine and one one-hundredths feet to a point; thence north ten degrees fourteen minutes twenty-seven seconds east, four hundred fifty-six and sixty-four one-hundredths feet to a point; thence north twenty-three degrees fifty-three minutes twenty-four seconds west, fourteen and fifty-three one-hundredths feet to a point in the aforesaid south line of South Street; thence in an easterly direction along said south line of South Street by a curve to the right with a radius of three hundred five and sixty-five one-hundredths feet, a distance of sixteen and ninety one-hundredths feet, to the point or place of beginning; together with the right to construct and maintain said tunnel for the purposes aforesaid in, upon, across, and beneath the surface of lands of the United States lying in the bed of South

Street immediately adjacent to and abutting upon the lands above described.

Reconstruction of existing tunnel.

"SEC. 2. That the reconstruction of the existing tunnel shall be carried out in accordance with plans and specifications which shall have been, prior to the commencement of such reconstruction, submitted to and approved by the Secretary of the Treasury with respect to reconstruction through the lands now occupied by the Coast Guard and submitted to and approved by the Federal Works Administrator with respect to reconstruction through the lands now occupied by the Post Office Department.

Reversion to U. S.

"SEC. 3. That whenever said right-of-way shall cease to be used for the purpose of a tunnel through which to operate a railroad, it shall revert to the United States.

Rights reserved.

"SEC. 4. That the right to repeal, alter, or amend this Act is reserved to Congress."

Approved June 12, 1948.

[CHAPTER 457]

AN ACT

June 12, 1948
[H. R. 6078]
[Public Law 633]

To amend section 303 (e) of the Interstate Commerce Act, as amended.

Interstate Commerce Act, amendment.
54 Stat. 932.
49 U. S. C. § 903 (e).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 303 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(e) (1) Notwithstanding any provision of this part the Commission may, by order, from time to time, upon application, or upon its own initiative without application, exempt from the requirements of this part the transportation of passengers between points in the United States by way of a foreign port or ports, upon a finding that application of such requirements thereto is not necessary to carry out the national transportation policy declared in this Act.

Exclusion of certain noncompetitive transportation.

"(2) It is hereby declared to be the policy of Congress to exclude from the provisions of this part, in addition to the transportation otherwise excluded under this section, transportation by contract carriers by water which, by reason of the inherent nature of the commodities transported, their requirement of special equipment or their shipment in bulk, is not actually and substantially competitive with transportation by any common carrier subject to this part or part I or part II. Upon application of a carrier, made in such manner and form as the Commission may by regulations prescribe, the Commission shall, subject to such reasonable conditions and limitations as the Commission may prescribe, by order exempt from the provisions of this part such of the transportation engaged in by such carrier as it finds necessary to carry out the policy above declared. A carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended) making such application prior to January 1, 1941, shall be exempt from the provisions of this part until a final determination has been made upon such application if such carrier or a predecessor in interest was in bona fide operation as a contract carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period, prior to or including such date, for operations of the character in question) except, in either event, for interruptions of service over which such carrier or its predecessor in interest had no control".

54 Stat. 929.
49 U. S. C. ch. 12.
24 Stat. 379; 49 Stat. 543.
49 U. S. C. chs. 1, 8.
Ante, pp. 163, 295; *post*, p. 602.

47 Stat. 1425.
46 U. S. C. §§ 843-848.

Approved June 12, 1948.

[CHAPTER 458]

AN ACT

June 12, 1948
[H. R. 6091]
[Public Law 634]

To withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of Hawaiian Homes Commission land of Waiakea-Kai or Keaukaha, South Hilo, Hawaii, Territory of Hawaii, more fully described as follows, is withdrawn as "available land" within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and is hereby restored to its previous status under the control of the Territory of Hawaii:

Hawaii.
Withdrawal of certain "available land."

48 U. S. C. § 691 *et seq.*
Ante, pp. 295, 303; *post*, p. 390.

Portion of Hawaiian home land of Keaukaha, tract 2, Waiakea, South Hilo, island of Hawaii, Territory of Hawaii, as returned to the Commissioner of Public Lands of the Territory of Hawaii by resolution numbered 85 of the Hawaiian Homes Commission, dated July 18, 1944, and more particularly described as follows:

Beginning at a spike at the northwest corner of this tract of land and on the southeast corner of the intersection of Nene and Akepa Streets, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being five thousand two hundred and eight and twenty-one one-hundredths feet north and twenty-four thousand eight hundred and eighteen and six one-hundredths feet east, and running by azimuths measured clockwise from true south:

1. Two hundred and ninety degrees eleven minutes five hundred and sixty-one and eighty-two one-hundredths feet along the south side of Nene Street;

2. Thence along same on a curve to the left with a radius of one thousand four hundred and sixty-five and four-tenths feet, the chord azimuth and distance being two hundred and sixty-eight degrees thirty-seven minutes one thousand and seventy-seven and thirty one-hundredths feet;

3. Two hundred and forty-seven degrees three minutes five hundred and ninety-six and sixty-two one-hundredths feet along same;

4. Three hundred and sixty degrees no minutes one thousand two hundred and thirty-seven and eighty-five one-hundredths feet;

5. Ninety degrees no minutes two thousand one hundred and fifty-three and sixty-nine one-hundredths feet;

6. One hundred and eighty degrees no minutes one thousand one hundred and seventy-three and four one-hundredths feet along the east side of the proposed extension of Akepa Street to the point of beginning, and containing an area of fifty acres, more or less.

SEC. 2. Notwithstanding the foregoing provisions of this Act, if, at any time, in the opinion of the Commissioner of Public Lands, use of the above-described lands has been discontinued by the Department of Commerce, upon the making of such a determination by the Commissioner of Public Lands such lands shall become available lands within the meaning of section 203 of title II of the Hawaiian Homes Commission Act, 1920, as amended.

42 Stat. 109.
48 U. S. C. § 697.
Ante, pp. 295, 303.

Approved June 12, 1948.

[CHAPTER 459]

JOINT RESOLUTION

June 12, 1948
[H. J. Res. 395]
[Public Law 635]

To extend the time for the release, free of estate and gift tax, of powers of appointment, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of

Revenue Act of 1942, amendments.

56 Stat. 944; 61 Stat. 178.
26 U. S. C. §§ 811, 812, 826, 861 notes; Supp. I, §§ 811, 812, 861 notes.
Ante, pp. 116, 117-121, 123, 124; *post*, p. 1214.
56 Stat. 952.
26 U. S. C., Supp. I, § 1000 note.

the Revenue Act of 1942 (relating to the release of certain powers of appointment) is hereby amended by striking out "July 1, 1948" wherever it appears and inserting in lieu thereof "July 1, 1949"; and section 452 (c) of the Revenue Act of 1942 is hereby amended to read as follows:

"(c) RELEASE BEFORE JULY 1, 1949.—

"(1) A release of a power to appoint before July 1, 1949, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1949 and to that part of the calendar year 1949 prior to July 1, 1949."

56 Stat. 942, 952.
26 U. S. C. §§ 811, 812, 826, 861, 1000 and notes; Supp. I, §§ 811, 812, 861, 1000.
Ante, pp. 116, 117-121, 123, 124; *post*, p. 1214.

SEC. 2. For the purposes of sections 403 and 452 of the Revenue Act of 1942, a power to appoint created by a will executed on or before October 21, 1942, shall be considered a power created on or before such date if the person executing such will dies before July 1, 1949, without having republished such will, by codicil or otherwise, after October 21, 1942.

EXTENSION OF TIME FOR ASSESSMENT OF DEFERRED EXCESS PROFITS TAX

56 Stat. 917.
26 U. S. C. §§ 710-736 note.

SEC. 3. (a) Section 710 (a) (5) of the Internal Revenue Code is hereby amended by adding at the end thereof the following: "Notwithstanding any other provision of law or rule of law, to the extent that any amount of tax remaining unpaid pursuant to this paragraph is in excess of the reduction in tax finally determined under section 722, such excess may be assessed at any time before the expiration of one year after such final determination."

54 Stat. 986.
26 U. S. C. §§ 710-736 note.

56 Stat. 917.
26 U. S. C. §§ 710-736 note.

(b) The amendment made by this section shall be effective as if made by section 222 (b) of the Revenue Act of 1942.

Approved June 12, 1948.

[CHAPTER 462]

JOINT RESOLUTION

June 14, 1948
[S. J. Res. 227]
[Public Law 636]

Providing for appropriate observance of the two-hundredth anniversary of the founding of Washington and Lee University.

Washington and Lee University, Va.
Two-hundredth anniversary of founding.

Whereas during the year 1949 there will be celebrated the two-hundredth anniversary of the founding of the Washington and Lee University as Augusta Academy; and

Whereas George Washington made this institution the beneficiary of the gift which the Commonwealth of Virginia tendered him for his services in the Revolution; and

Whereas Robert E. Lee, declining easier and more lucrative positions, gave the last years of his life to the service of education in that college; and

Whereas the contributions of these two eminent citizens, joined with those of a long roll of others devoted to the public good, have forged an institution which has served the Nation for two centuries in maintaining and promoting the ideals of constitutional American liberty: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and people of the United States unite with Washington and Lee University and with the Commission on the Washington and Lee University Bicentennial authorized by the General Assembly of the Commonwealth of Virginia in the appropriate observance of this anniversary.

Establishment of Commission.

SEC. 2. There is hereby established a commission to be known as the United States Washington and Lee University Bicentennial Commission (hereinafter referred to as the Commission) to be composed of fifteen commissioners, as follows: The President of the United States and four persons to be appointed by him, the President of the Senate and four Members of the Senate to be appointed by said President of the Senate, and the Speaker of the House of Representatives and four Members of the House to be appointed by said Speaker.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with representatives of Washington and Lee University and the Commonwealth of Virginia in appropriate observance of this anniversary and extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebration as guests of Washington and Lee University.

SEC. 4. The members of the Commission shall serve without compensation and shall select a chairman from among their number, but the President of the United States shall be designated as the honorary chairman of the Commission.

SEC. 5. Any vacancies occurring in the membership of the Commission shall be filled in the same manner in which original appointments to such Commission are made.

Approved June 14, 1948.

[CHAPTER 463]

AN ACT

June 14, 1948
[H. R. 669]
[Public Law 637]

To provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, California, on July 17, 1944, in the amounts found to be due by the Secretary of the Navy.

Port Chicago, Calif.
Settlement of claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of effecting the settlement of those claims against the United States resulting from the explosions which occurred at the naval ammunition depot at Port Chicago, California, on July 17, 1944, which have not been settled by the Secretary of the Navy, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in full settlement of all such claims, the respective sums found to be due in the report of the Secretary of the Navy to Congress dated September 13, 1945, and entitled "Summary of Reports of the Secretary of the Navy to Congress of the United States pursuant to Public Law 423, Seventy-eighth Congress, second session, of claims resulting from the explosion which occurred at the naval ammunition depot at Port Chicago, California"; and claims not filed within the limitation established by said Public Law 423 but which are filed within six months after the date of the approval of this Act are authorized to be investigated and reported to the Congress with recommendations by the Secretary of the Navy in accordance with the provisions of said Public Law 423: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $5,000.

58 Stat. 731.

Approved June 14, 1948.

[CHAPTER 464]

AN ACT

June 14, 1948
[H. R. 3680]
[Public Law 638]

To amend sections 207, 213, 215, 216, 220, 222, and 225, of title 2 of the Hawaiian Homes Commission Act, 1920, as amended.

Hawaiian Homes Commission Act, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 207 (a) of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

42 Stat. 110.
48 U. S. C. § 701 (a).

"SEC. 207. LEASES TO HAWAIIANS, LICENSES.—

"(a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract or tracts of Hawaiian home lands within the following acreage limits per each lessee: (1) Not less than one nor more than forty acres of agricultural lands; or (2) not less than one hundred nor more than five hundred acres of first-class pastoral lands; or (3) not less than two hundred and fifty nor more than one thousand acres of second-class pastoral lands; or (4) not more than one acre of any class of land to be used as a residence lot: *Provided, however*, That, in the case of any existing lease of a farm lot in the Kalanianaole Settlement on Molokai, a residence lot may exceed one acre but shall not exceed four acres in area, the location of such area to be selected by the lessee concerned: *Provided further*, That a lease granted to any lessee may include two detached farm lots located on the same island and within a reasonable distance of each other, one of which, to be designated by the Commission, shall be occupied by the lessee as his home, the gross acreage of both lots not to exceed the maximum acreage of an agricultural or pastoral lot, as the case may be, as provided in this section."

Kalanianaole Settlement on Molokai.

Farm lots.

58 Stat. 264.
48 U. S. C. § 701 (c).

SEC. 2. Section 207 (c) of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

Licenses.

"(c) (1) The Commission is authorized to grant licenses for terms of not to exceed twenty-one years in each case, to public-utility companies or corporations as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like. The Commission is also authorized to grant licenses for lots within a district in which lands are leased under the provisions of this section, to—

"(A) churches, hospitals, and public schools;

"(B) theaters, garages, service stations, markets, stores, and other mercantile establishments (all of which shall be owned by lessees of the Commission or by organizations formed and controlled by said lessees).

"(2) The Commission is also authorized, with the approval of the Governor, to grant licenses to the United States for terms not to exceed five years, for reservations, roads, and other rights-of-way, water storage and distribution facilities, and practice target ranges: *Provided*, That any such license may be extended from time to time by the Commission, with the approval of the Governor, for additional terms of three years: *Provided further*, That any such license shall not restrict the areas required by the Commission in carrying on its duties, nor interfere in any way with the Commission's operation or maintenance activities."

42 Stat. 112.
48 U. S. C. § 707.

SEC. 3. Section 213 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

"SEC. 213. HAWAIIAN HOME-LOAN FUND; HAWAIIAN HOME-DEVELOPMENT FUND; HAWAIIAN HOME-OPERATING FUND; HAWAIIAN HOME-ADMINISTRATION ACCOUNT.—(a) There are hereby established in the treasury of the Territory two revolving funds to be known as the Hawaiian home-loan fund and the Hawaiian home-operating fund, and two special funds to be known as the Hawaiian home-development fund and the Hawaiian home-administration account.

"(b) HAWAIIAN HOME-LOAN FUND.—Thirty per centum of the Territorial receipts derived from the leasing of cultivated sugar-cane lands under any other provisions of law, or from water licenses, shall be deposited into the Hawaiian home-loan fund until the aggregate amount of the fund (including in said amount the principal of all outstanding loans and advances, and all transfers which have been made from this fund to other funds for which this fund has not been or need not be reimbursed) shall equal $2,000,000. In addition to these moneys, there shall be covered into the loan fund the installments of principal paid by lessees upon loans made to them as provided in paragraph 2 of section 215, or as payments representing reimbursements on account of advances made pursuant to section 209 (1), but not including interest on such loans or advances. The moneys in said fund shall be available only for loans to lessees as provided for in this Act, and for the payments provided for in section 209 (1), and shall not be expended for any other purpose whatsoever, except as provided in paragraphs (c) and (d) of this section.

Post, p. 392.

50 Stat. 504.
48 U. S. C. § 703 (1).

"(c) HAWAIIAN HOME-DEVELOPMENT FUND.—Twenty-five per centum of the amount of moneys covered into the Hawaiian home-loan fund annually shall be transferred into the Hawaiian home-development fund until the aggregate amount of such annual transfers shall equal $400,000. The moneys in said development fund shall be available, with the prior written approval of the Governor, for the construction of sanitary sewerage facilities, for the construction of roads through and over Hawaiian home lands, and for other nonrevenue producing improvements.

"(d) HAWAIIAN HOME-OPERATING FUND.—All moneys received by the Commission from any other source, except moneys received for the Hawaiian home-administration account, shall be deposited in a revolving fund to be known as the Hawaiian home-operating fund. The moneys in said fund shall be available (1) for construction and reconstruction of revenue-producing improvements, including acquisition therefor of real property and interests therein, such as water rights or other interests; (2) for payment into the treasury of the Territory of such amounts as are necessary to meet the following charges for Territorial bonds issued for such revenue-producing improvements, to wit, the interest on such bonds, and the principal of such serial bonds maturing the following year; (3) for operation and maintenance of such improvements, heretofore or hereafter constructed from said fund or other funds; and (4) for the purchase of water or other utilities, goods, commodities, supplies, or equipment and for services, to be resold, rented, or furnished on a charge basis to occupants of Hawaiian home lands. The moneys in said fund may be supplemented by other funds available for, or appropriated by the legislature for, the same purposes. In addition to such moneys, said fund, with the approval of the Governor, may be supplemented by transfers made on a loan basis from the home-loan fund. The amounts of all such transfers shall be repaid into the home-loan fund in not exceeding ten annual installments, and the aggregate amount of such transfers outstanding at any one time shall not exceed $500,000. No projects or activities shall be undertaken hereunder except as authorized by sections 220 and 221 or the other provisions of this Act.

Supplemental funds.

Post, p. 393.
42 Stat. 114.
48 U. S. C. § 715.

"(e) MATCH MONEYS.—The Commission is authorized and empowered to use moneys in the development and operating funds, with the prior written approval of the Governor, to match Federal, Territorial, or county funds available for the same purposes and to that end is authorized to enter into such undertaking, agree to such conditions, transfer funds therein available for such expenditure and do and perform such other acts and things, as may be necessary or

required, as a condition to securing match funds for such projects or works.

"(f) HAWAIIAN HOME-ADMINISTRATION ACCOUNT.—The entire receipts derived from any leasing of the available lands defined in section 204 shall be deposited into the Hawaiian home-administration account. The moneys in said account shall be expended by the Commission for salaries and all other administration expenses of the Commission, not including structures and other permanent improvements, subject, however, to the following conditions and requirements:

42 Stat. 110.
48 U. S. C. § 698.

Budget estimates.

"(1) The Commission shall, at such time as the Governor may prescribe, but not later than November 15 preceding each biennial session of the legislature, submit to the Territorial director of the Bureau of the Budget its budget estimates of expenditures for the next ensuing biennium in the manner and form and as required by Territorial law of Territorial departments and establishments.

"(2) The Commission's budget, if it meets with the approval of the Governor, shall be included in the Governor's budget report and shall be transmitted to the legislature for its approval.

"(3) Upon approval by the legislature of the Commission's budget estimate of expenditures for the ensuing biennium, the amount thereof shall be available to the Commission for said biennium and shall be expendable by the Commission for the expenses hereinabove provided, or, if no action on the budget is taken by the legislature prior to adjournment, the amount submitted to the legislature, but not in excess of $200,000, shall be available for such expenditures; any amount of money in said account in excess of the amount approved by the legislature for the biennium or so made available shall be transferred to the general fund of the treasury of the Territory, such transfer to be made immediately after the amount of moneys deposited in said administration account shall equal the amount approved by the legislature or so made available.

"(4) The money in said administration account shall be expended by the Commission in accordance with Territorial laws, rules, and regulations and practices."

SEC. 4. Section 215 (1) of the Hawaiian Homes Commission Act, 1920, as last amended by the Act of November 26, 1941 (55 Stat. L. 785), is hereby further amended by deleting from the first sentence the figures "$3,000" and inserting in lieu thereof "$5,000", and by deleting from the first sentence the figures "$1,000" and inserting in lieu thereof "$3,000", so as to cause the portion of the first sentence following the colon and preceding the proviso to read as follows: "The amount of loans at any one time to any lessee, or successor or successors in interest, of a tract of agricultural or pastoral land shall not exceed $5,000 and to any lessee or successor or successors in interest, of a residence lot shall not exceed $3,000:".

48 U. S. C. § 709 (1).

42 Stat. 112.
48 U. S. C. § 709 (2).

SEC. 5. Section 215 (2) of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

Repayment of loans.

"(2) The loans shall be repaid in periodic installments, such installments to be monthly, quarterly, semiannual, or annual as may be determined by the Commission in each case. The term of the loan shall not exceed thirty years: *Provided*, That payments in any sum in addition to the required installments, or payment of the entire amount of the loan, may be made at any time within the term of the loan. All unpaid balances of principal shall bear interest at the rate of 3 per centum per annum, payable periodically or upon demand by the Commission, as the Commission may determine. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the Commission, be postponed in whole or in part by the Commission for such reasons as it deems good and

Postponement of payment.

sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of 3 per centum per annum on the unpaid principal."

SEC. 6. Section 216 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

42 Stat. 113.
48 U. S. C. § 710.

"SEC. 216. INSURANCE BY BORROWERS; ACCELERATION OF LOANS; LIEN AND ENFORCEMENT THEREOF.—The Commission may require the borrower to insure, in such amount as the Commission may by regulation prescribe, all livestock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the Commission may directly take out such insurance and add the cost thereof to the amount of principal payable under the loan. Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest in the tract as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition the Commission may declare all principal and interest of the loan immediately due and payable notwithstanding any provision in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's or lessee's interest in his tract, growing crops, either on the tract or in any collective contract or program, dwellings, or other permanent improvements thereon, and his livestock, to the amount of all principal and interest due and unpaid and of all taxes and insurance upon such tract and improvements paid by the Commission, and of all indebtedness of the lessee, the payment of which has been assured by the Commission. Such lien shall have priority over any other obligation for which the tract, said growing crops, dwellings, other improvements, or livestock may be security.

Violations.

Ante, p. 392.
42 Stat. 112.
48 U. S. C. § 709 (4) (5) (6).

Immediate payment if violation found.

First lien on property, etc.

"The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract, or his successor's interest therein, as the case may be, together with the said growing crops, dwellings, and other permanent improvements thereon, and the livestock, to be forfeited, the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the livestock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revest in the Commission, and the Commission may take possession of the tract and the improvements and growing crops thereon: *Provided*, That the Commission shall pay to the borrower any difference which may be due him after the appraisal provided for in paragraph (1) of section 209 of this title has been made."

Enforcement of lien.

Revestment of lands in Commission.

Payment of difference.

50 Stat. 504.
48 U. S. C. § 703 (1).

SEC. 7. Section 220 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

42 Stat. 114.
48 U. S. C. § 714.

"SEC. 220. DEVELOPMENT PROJECTS; APPROPRIATIONS BY TERRITORIAL LEGISLATURE; BONDS ISSUED BY LEGISLATURE.—The Commission is authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands and to undertake other activities having to do with the economic and social welfare of the homesteaders, including the authority to derive revenue from the sale, to others than homesteaders, of water and other products of such projects or activities, or from the enjoyment thereof by others than homesteaders, where such sale of products or enjoyment of projects or activities by others does not interfere with the proper performance of the duties of the Commission: *Provided, however*, That roads through or over Hawaiian home lands, other than Federal-aid highways and roads, shall be maintained by the county or city and county in which said particular road or roads to be maintained

Maintenance of roads.

Appropriation authorized.

are located. The Legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to augment the Hawaiian home-loan fund, the Hawaiian home-development fund, the Hawaiian home-operating fund, and the Hawaiian home-administration account, and to provide the Commission with funds sufficient to execute and carry on such projects and activities. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sums so appropriated for the payment of which, if issued for revenue-producing improvements, the Commission shall provide, as set forth in section 213 (d)."

Issuance of bonds.

Ante, p. 391.

SEC. 8. Section 222 of the Hawaiian Homes Commission Act, 1920, as last amended by the Act of November 26, 1941 (55 Stat. L. 787), is hereby further amended by amending the second sentence thereof to read as follows: "All expenditures of the Commission, as herein provided out of the Hawaiian home-administration account, the Hawaiian home-development fund, or the Hawaiian home-operating fund, and all moneys necessary for loans made by the Commission, in accordance with the provisions of this chapter, from the Hawaiian home-loan fund, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the Chairman of the Commission."

48 U. S. C. § 694.

Presentation of vouchers.

55 Stat. 787.
48 U. S. C. § 707a.

SEC. 9. Section 225 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended to read as follows:

"SEC. 225. INVESTMENT OF LOAN FUNDS; DISPOSITION.—The Commission shall have the power and authority to invest and reinvest any of the moneys in the loan fund, not otherwise immediately needed for the purposes of the fund, in such bonds and securities as authorized by Territorial law for the investment of Territorial sinking fund moneys. Any interest or other earnings arising out of such investments shall be credited to and deposited in the Hawaiian home-operating fund and shall be considered a deposit therein from the other sources mentioned in section 213 (d)."

Ante, p. 391.

Effective date.

SEC. 10. This Act shall take effect on and after the date of its approval.

Approved June 14, 1948.

[CHAPTER 465]

June 14, 1948
[H. R. 5728]
[Public Law 639]

AN ACT

Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1949, and for other purposes.

Labor-Federal Security Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1949, namely:

TITLE I—DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Post, p. 449.

Salaries and expenses: For expenses necessary for the Office of the Secretary of Labor (hereafter in this title referred to as the Secretary), including personal services in the District of Columbia; health service program as authorized by law (5 U. S. C. 150); teletype news service; and payment in advance when authorized by the Secretary for dues or fees for library membership in organizations whose publications are available to members only or to members at a price lower than to the general public; $975,000.

60 Stat. 903.

Salaries and expenses, Office of the Solicitor: For expenses necessary for the Office of the Solicitor for the Department of Labor, including personal services in the District of Columbia, $1,015,000. *Post*, p. 450.

Salaries and expenses, Bureau of Labor Standards: For expenses necessary for the promotion of industrial safety, employment stabilization, and amicable industrial relations for labor and industry, and for the performance of the functions vested in the Secretary by title I of the Labor-Management Relations Act, 1947 (Public Law 101, approved June 23, 1947), including personal services in the District of Columbia; purchase of reports and of material for informational exhibits; and expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Bureau of Labor Standards when called by the Bureau with the written approval of the Secretary; $320,000. 61 Stat. 136. 29 U. S. C., Supp. I, §§ 151–167.

Penalty mail costs: For deposit in the Treasury for penalty mail for the Department of Labor (39 U. S. C. 321d), $115,000. 58 Stat. 394. *Post*, p. 1049.

Salaries and expenses, Bureau of Veterans' Reemployment Rights: For expenses necessary to render assistance in connection with the exercise of reemployment rights of veterans under section 8 of the Selective Training and Service Act of 1940, as amended (50 U. S. C., App. 308), the Service Extension Act of 1941, as amended, the Army Reserve and Retired Personnel Service Law of 1940, as amended, and under the Act of June 23, 1943, as amended (50 U. S. C., App. 1472), of persons who have performed service in the Merchant Marine, including personal services in the District of Columbia, $207,500. 54 Stat. 890. 55 Stat. 626. 50 U. S. C. app. §§ 351–362. 54 Stat. 858. 50 U. S. C. app. §§ 401–405. 57 Stat. 162. 50 U. S. C., Supp. I, app. § 1472 note.

BUREAU OF APPRENTICESHIP

Salaries and expenses: For expenses necessary to enable the Secretary to conduct a program of encouraging apprentice training, as authorized by the Act of August 16, 1937 (29 U. S. C. 50), including personal services in the District of Columbia, $2,444,000. 50 Stat. 664.

BUREAU OF LABOR STATISTICS

Salaries and expenses: For expenses necessary for the work of the Bureau of Labor Statistics, including reimbursement to State, Federal, and local agencies and their employees for services rendered; personal services in the District of Columbia; and not to exceed $15,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $4,073,000. 60 Stat. 810.

WOMEN'S BUREAU

Salaries and expenses: For expenses necessary for the work of the Women's Bureau, as authorized by the Act of June 5, 1920 (29 U. S. C. 11–16), including personal services in the District of Columbia and purchase of reports and material for informational exhibits; $274,200. 41 Stat. 987.

WAGE AND HOUR DIVISION

Salaries and expenses: For expenses necessary for performing the duties imposed by the Fair Labor Standards Act of 1938, as amended, and the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), and for the functions under the Fair Labor Standards Act transferred by Reorganization Plan Numbered 2 of 1946, including personal services in the District of Columbia; reimbursement to State, Federal, and local agencies and their employees for inspection services rendered; and expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Wage 52 Stat. 1060. 29 U. S. C. §§ 201–219; Supp. I, § 216. 49 Stat. 2038. 60 Stat. 1095. 5 U. S. C. § 133y–16 note. Attendance at meetings.

and Hour Division when called by the Division with the written approval of the Secretary; $5,000,000.

DEPARTMENT OF LABOR—GENERAL PROVISIONS

Travel expenses.

SEC. 102. Appropriations under this title available for salaries and expenses shall be available for travel expenses and, when specifically authorized by the Secretary, for expenses of attendance at meetings concerned with the function or activity for which any such appropriation is made.

SEC. 103. Appropriations under this title available for salaries and expenses shall be available for stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).

60 Stat. 810.

SEC. 104. Appropriations under this title available for salaries and expenses shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

60 Stat. 843.
Post, p. 1008.

SEC. 105. Appropriations under this title available for salaries and expenses shall be available for printing and binding.

Transfer of funds.

SEC. 106. The Secretary, if he finds it necessary for the practical and efficient operation of the Department, shall have the authority to transfer funds from any appropriation herein made available for salaries and expenses to any other such appropriation, but no appropriation shall be either increased or decreased more than 5 per centum by such transfers: *Provided*, That any such transfers shall not be used for the purpose of creating new functions within the Department.

Restriction.

Citation of title.

SEC. 107. This title may be cited as the "Department of Labor Appropriation Act, 1949".

Federal Security Agency Appropriation Act, 1949.
Post, p. 443.

TITLE II—FEDERAL SECURITY AGENCY

AMERICAN PRINTING HOUSE FOR THE BLIND

Education of the blind: For carrying out the Act of August 4, 1919, as amended (20 U. S. C. 101), $115,000.

41 Stat. 272.

BUREAU OF EMPLOYEES' COMPENSATION

Salaries and expenses: For necessary administrative expenses, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and not to exceed $41,000 for the Employees' Compensation Board of Appeals; $1,400,000: *Provided*, That section 3709, Revised Statutes, as amended, shall not apply to any purchase or service outside continental United States when the aggregate amount involved does not exceed $500.

60 Stat. 810.

41 U. S. C. § 5.

Employees' compensation fund: For the payment of compensation and other benefits and expenses (except administrative expenses) authorized by law and accruing during the current or any prior fiscal year, including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Bureau of Employees' Compensation; the advancement of costs for enforcement of recoveries in third-party cases; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment, and burial, for such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U. S. C. 796), shall apply

Medical services, etc.

39 Stat. 742.

in providing such services, treatment, and expenses in such cases; $10,800,000.

COLUMBIA INSTITUTION FOR THE DEAF

Salaries and expenses: For the partial support of Columbia Institution for the Deaf, including personal services and miscellaneous expenses, and repairs and improvements, $282,400.

FOOD AND DRUG ADMINISTRATION

Salaries and expenses: For necessary expenses for carrying out the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 301–392); the Tea Importation Act, as amended (21 U. S. C. 41–50); the Import Milk Act (21 U. S. C. 141–149); the Federal Caustic Poison Act (15 U. S. C. 401–411); and the Filled Milk Act, as amended (21 U. S. C. 61–64); including personal services in the District of Columbia; purchase of not to exceed forty-five passenger motor vehicles (of which thirty-five shall be for replacement only); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); reporting and illustrating the results of investigations; and not to exceed $2,000 for payment in advance for special tests and analyses by contract without regard to section 3709 of the Revised Statutes; $4,475,000: *Provided*, That not to exceed $120,864 of this amount shall be available for transfer to the appropriation "Salaries, Office of the General Counsel".

52 Stat. 1040. 21 U. S. C., Supp. I, §§ 331, 352, 357. *Post*, p. 582. 29 Stat. 604. 44 Stat. 1101, 1406. 42 Stat. 1486.

60 Stat. 810.

41 U. S. C. § 5.

Transfer of funds. *Post*, p. 448.

Salaries and expenses, certification and inspection services: For expenses necessary for the certification or inspection of certain products in accordance with sections 406, 504, 506, 507, 604, 702A, and 706 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 346, 354, 356, 357, 364, 372a, and 376), the aggregate of the advance deposits during the fiscal year 1949 to cover payment of fees by applicants for certification or inspection of such products, to remain available until expended; and in addition thereto, the aggregate of advance deposits made prior to July 1, 1948, and remaining to the credit of depositors for certification or inspection of such products during the fiscal year 1949, which shall also remain available until expended. The total amount herein appropriated shall be available for personal services in the District of Columbia; purchase of not to exceed twelve passenger motor vehicles (of which three shall be for replacement only); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and the refund of advance deposits for which no service has been rendered: *Provided*, That in the fiscal year 1949 not to exceed $20,500 of such total amount shall be available for transfer to the appropriation "Salaries, Office of the General Counsel".

52 Stat. 1049, 1052, 1055, 1058, 1059; 55 Stat. 851; 59 Stat. 463. 21 U. S. C., Supp. I, § 357.

Advance deposits.

60 Stat. 810.

Transfer of funds. *Post*, p. 448.

FREEDMEN'S HOSPITAL

Salaries and expenses: For expenses necessary for operation and maintenance, including repairs; purchase of one ten-passenger motor vehicle (carry-all type) at a cost not to exceed $3,000; furnishing, repairing, and cleaning of wearing apparel used by employees in the performance of their official duties; transfer of funds to the appropriation "Salaries and expenses, Howard University" for salaries of technical and professional personnel detailed to the hospital; payments to the appropriation of Howard University for instruction of nurses and actual cost of heat, light, and power furnished by such university; $2,194,000: *Provided*, That no intern or resident physician receiving compensation from this appropriation on a full-time basis shall receive compensation in the form of wages or salary from any other appropriation in this Act.

Transfer of funds. *Post*, p. 398.

Salary restriction.

HOWARD UNIVERSITY

Ante, p. 397.

Salaries and expenses: For the partial support of Howard University, including personal services and miscellaneous expenses and repairs to buildings and grounds, $2,150,000.

Plans and specifications: For all expenses necessary for the preparation of a master development plan for Howard University to guide the future design and construction of buildings and improvements, including roads, walks, utilities, recreation facilities, and landscape development, to be immediately available and to remain available until expended, $50,000, which amount shall be transferred to the Public Buildings Administration, Federal Works Agency, for the performance of the work.

Transfer of funds.

Construction of buildings: For alterations to and installations in the existing power plant and science hall on the grounds of Howard University, including engineering and architectural services, printing, and travel, to remain available until expended, $507,240, which amount, except such part as may be necessary for the incidental expenses of the university, may be transferred to the Public Buildings Administration, Federal Works Agency, for the purposes of this appropriation; and in addition the authority contained in the Federal Security Agency Appropriation Act, 1948, to enter into contracts for construction of a dental school building and an auditorium-fine arts building on the grounds of Howard University is hereby increased from $2,087,675 to $2,953,425: *Provided*, That any contracts for construction of the dental school building and the auditorium-fine arts building shall be in accordance with the terms of said Act and shall provide for completion at a total cost to the Federal Government not in excess of $2,242,520 for the dental school building and $2,732,985 for the auditorium-fine arts building: *Provided further*, That the limitations on contract authority and total cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from January 1, 1948, as determined by the Federal Works Administrator.

Transfer of funds.

61 Stat. 266.

Limitations on contract authority.

OFFICE OF EDUCATION

Further development of vocational education: For carrying out section 3 of the Vocational Educational Act of 1946 (Public Law 586), $19,842,760: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $19,842,759.97 for the fiscal year 1949, as authorized.

60 Stat. 775.
20 U. S. C. § 15j.

Promotion of vocational education in Hawaii: For carrying out section 4 of the Act of March 10, 1924 (20 U. S. C. 29), $30,000.

43 Stat. 18.

Promotion of vocational education in Puerto Rico: For carrying out section 1 of the Act of March 3, 1931 (20 U. S. C. 30), $105,000.

46 Stat. 1489.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out section 22 of the Act of June 29, 1935 (7 U. S. C. 343d), $2,480,000.

49 Stat. 439.
7 U. S. C. § 329.

Salaries and expenses: For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; fostering coordination of public and school library service; coordination of library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among libraries, interstate library coordination and the development of library service throughout the country; personal services in the District of Columbia; contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase, distribution, and exchange of educational documents,

60 Stat. 810.

motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; $1,900,000, of which not less than $487,400 shall be available for the Division of Vocational Education as authorized: *Provided*, That all receipts from non-Federal agencies representing reimbursement for expenses of travel of employees of the Office of Education performing advisory functions to said agencies shall be deposited in the Treasury of the United States to the credit of this appropriation.

Receipts from non-Federal agencies.

OFFICE OF VOCATIONAL REHABILITATION

Payments to States (including Alaska, Hawaii, and Puerto Rico): For payments to States (including Alaska, Hawaii, and Puerto Rico) in accordance with the Vocational Rehabilitation Act, as amended (29 U. S. C. ch. 4), including payments, in accordance with regulations of the Administrator, for one-half of necessary expenditures for the acquisition of vending stands or other equipment in accordance with section 3 (a) (3) (C) of said Act for the use of blind persons, such stands or other equipment to be controlled by the State agency, $18,000,000, of which not to exceed $200,000 shall be available to the Federal Security Administrator for providing rehabilitation services to disabled residents of the District of Columbia, as authorized by section 6 of said Act, which latter amount shall be available for administrative expenses in connection with providing such services in the District of Columbia, printing and binding, including the purchase of reprints, and travel: *Provided*, That not to exceed 15 per centum of the appropriation shall be used for administrative purposes: *And provided further*, That section 3709 of the Revised Statutes, as amended, shall not apply to any purchase made or service rendered when the aggregate amount involved does not exceed $400.

Ante, p. 216.

41 Stat. 735.
29 U. S. C. §§ 31–41.

57 Stat. 376.
29 U. S. C. § 33 (a) (3) (C).

41 Stat. 737.
29 U. S. C. § 36.

41 U. S. C. § 5.

Payments to States (including Alaska, Hawaii, and Puerto Rico), fiscal year 1950: For making, after May 31, 1949, payments to States in accordance with the Vocational Rehabilitation Act, as amended (including the objects specified in the preceding paragraph), for the first quarter of the fiscal year 1950, such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation therefor for the fiscal year 1950: *Provided*, That the payments made pursuant to this paragraph shall not exceed the amount paid to the States for the first quarter of the fiscal year 1949.

41 Stat. 735.
29 U. S. C. §§ 31–41.

Salaries and expenses: For expenses necessary in carrying out the provisions of the Vocational Rehabilitation Act, as amended, and of the Act approved June 20, 1936 (20 U. S. C., ch. 6A), including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); exchange of books; and not to exceed $3,000 for production, purchase, and distribution of educational films; $648,850.

41 Stat. 735.
29 U. S. C. §§ 31–41.
49 Stat. 1559.
20 U. S. C. §§ 107–107*l*.
60 Stat. 810.

PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the Public Health Service Act, as amended (42 U. S. C. ch. 6A) (hereinafter referred to as the Act), and other Acts, including (with the exception of the appropriation "Pay, and so forth, commissioned officers, Public Health Service") personal services in the District of Columbia; purchase of reports, documents, and other material for publication; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); preparation and display of posters and exhibits by contract or

Post, pp. 444, 445.

58 Stat. 682.
42 U. S. C. §§ 201–291m; Supp. I, § 201 *et seq.*
Ante, p. 38; *post*, pp. 464, 531, 536, 598, 1017, 1103.

60 Stat. 810.

otherwise; packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station; increased allowances to Reserve officers for foreign service; furnishing, repairing, and cleaning of wearing apparel prescribed by the Surgeon General for use by employees in the performance of their official duties; and transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at isolated stations; as follows:

58 Stat. 693, 704. 42 U. S. C. §§ 246 (a), 266; Supp. I, § 266 note.

Venereal diseases: To carry out the purposes of sections 314 (a) and 363 of the Act with respect to venereal diseases, including the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes, as amended; fees for case finding and referral to such centers of voluntary patients; reasonable expenses of preparing remains or burial of deceased patients; recreational supplies and equipment; leasing of facilities and repair and alteration of leased facilities; the purchase of not to exceed eight passenger motor vehicles for replacement only, and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and upon such terms and conditions as the Surgeon General may determine; $17,230,000.

41 U. S. C. § 5.

58 Stat. 693. 42 U. S. C. § 246 (b).

Tuberculosis: To carry out the purposes of section 314 (b) of the Act, including the purchase of not to exceed five passenger motor vehicles, $9,291,000.

Post, p. 444.

58 Stat. 694, 693, 691. 42 U. S. C. §§ 246 (c), 243, 241. *Post*, pp. 467, 468, 601, 1017.

Assistance to States, general: To carry out the purposes of section 314 (c) of the Act; to provide consultative services to States pursuant to section 311 of the Act; and to make field investigations and demonstrations pursuant to section 301 of the Act, including the purchase of not to exceed twenty-four passenger motor vehicles of which seventeen shall be for replacement only, $13,865,000, none of which shall be used for carrying out the purposes of the National Mental Health Act, approved July 3, 1946.

60 Stat. 421. 42 U. S. C. § 201 note. *Ante*, pp. 38–47.

58 Stat. 691, 693, 703, 712; 60 Stat. 1049. 42 U. S. C. §§ 241, 243, 264, 201 note. *Post*, pp. 467, 468, 601, 1017.

Communicable diseases: To carry out those provisions of sections 301, 311, 361, and 704 of the Act relating to the prevention and suppression of communicable diseases, the interstate transmission and spread thereof, and the enforcement of any applicable quarantine laws, including the purchase of not to exceed fifty passenger motor vehicles for replacement only; and purchase (not to exceed two) and hire, maintenance, and operation of aircraft; $7,490,000.

60 Stat. 1042. 42 U. S. C. §§ 291d–291h. *Post*, pp. 536, 1103.

Grants for hospital construction: For liquidation of contractual obligations authorized by the Congress to be incurred during the fiscal year 1948 or any subsequent fiscal year for construction grants under part C, title VI, of the Act, as amended, $40,000,000, to remain available until expended. Allotments under such part C to the several States for the fiscal year 1949 shall be made on the basis of $75,000,000, a part of the sum authorized to be appropriated for the fiscal year 1949. Whenever the Surgeon General shall have approved an application for a construction project in accordance with section 625 of the Act, subject to the amount of the allotments available to the States for such purposes, the Federal share of the cost of such project, as provided by the Act, shall constitute a contractual obligation of the Federal Government.

60 Stat. 1045. 42 U. S. C. § 291h.

Administrative expenses, assistance for hospital construction: For administrative expenses incident to carrying out title VI of the Act, as amended, including the purchase of not to exceed four passenger motor vehicles, $1,300,000.

60 Stat. 1041.
42 U. S. C. §§ 291-291m.
Post, pp. 531, 536, 602, 1103.

Hospitals and medical care: For carrying out the purposes of sections 321, 322, 324, 326, 331, 332, 502, and 710 of the Act, including minor repairs to and maintenance of buildings; purchase of not to exceed thirteen passenger motor vehicles, including three ambulances, for replacement only; transportation to their homes in the continental United States of recovered indigent leper patients; court costs and other expenses incident to proceedings for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; purchase and exchange of farm products and livestock; and reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; $21,443,000.

58 Stat. 695-698, 710, 714.
42 U. S. C. §§ 248, 249 and note, 251, 253, 255, 256, 220; Supp. I, § 249 note; 33 U. S. C. § 763c.
Post, pp. 1017, 1018.

Foreign quarantine service: For the medical inspection of aliens, the maintenance and ordinary expenses of United States quarantine stations and supplementary activities abroad, and the care and treatment of quarantine detainees in private or other public hospitals when facilities of the Public Health Service are not available, including the purchase of not to exceed ten passenger motor vehicles for replacement only, $3,000,000.

Employee health service programs: For carrying out the functions of the Public Health Service under the Act of August 8, 1946 (5 U. S. C. 150), $392,500, of which not to exceed $15,966 may be used for a health service program for Public Health Service employees at the seat of government: *Provided*, That when the Public Health Service, at the request of any department or agency of the Government, establishes or operates a health service program for such department or agency such amount as may be necessary may be consolidated with this appropriation by transfer from the applicable appropriation or appropriations of such department or agency.

60 Stat. 903.

National Institute of Health, operating expenses: For the activities of the National Institute of Health, not otherwise provided for, including research fellowships and grants for research projects pursuant to section 301 of the Act (including the purchase and distribution of penicillin and other antibiotic compounds for use in research projects for which grants are made); the regulation and preparation of biologic products; the purchase of not to exceed ten passenger motor vehicles for replacement only; and maintenance of buildings; $13,670,000: *Provided*, That such parts of the amount appropriated under this head as the Surgeon General shall determine from time to time to be available for research fellowships and grants shall, if obligated during fiscal year 1949, remain available for expenditure for four fiscal years thereafter.

Post, p. 1032.

58 Stat. 691.
42 U. S. C. § 241.
Post, pp. 467, 468, 601, 1017.

Research fellowships and grants.

National Cancer Institute: To enable the Surgeon General, upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for research and training projects relating to cancer, including grants for drawing plans, erection of buildings and acquisition of land therefor; to cooperate with State health agencies, and other public and private nonprofit institutions, in the prevention, control, and eradication of cancer by providing consultative services, demonstrations, and grants-in-aid; and to otherwise carry out the provisions of title IV of the Act, including the purchase of not to exceed five passenger motor vehicles, $14,000,000; and, in addition to the amount appropriated herein, the Surgeon General is authorized,

58 Stat. 707.
42 U. S. C. §§ 281-286.
Post, pp. 464, 598.

upon the recommendations of the National Advisory Cancer Council, to make grants-in-aid for drawing plans, erection of buildings, and acquisition of land therefor for research and training projects relating to cancer, and such grants (not to exceed a total of $8,000,000) shall, if approved during the fiscal year 1949, constitute a contractual obligation of the Federal Government: *Provided*, That such parts of the amount appropriated under this head as the Surgeon General shall determine from time to time to be available for research grants and training grants shall, if obligated during fiscal year 1949, remain available for expenditure for four fiscal years thereafter.

Research and training grants.

Construction of research facilities: For construction of a combined hospital and research building, together with a power plant and distribution facilities, garage, storage facilities, and roads and walks, for the National Institute of Mental Health and for general medical research, including research in cancer and cardiovascular diseases, and for the alteration and repair of existing research facilities and the construction of temporary structures for radioactive research, including acquisition of site or sites and preparation of plans, specifications, and drawings, $5,000,000, to remain available until expended: *Provided*, That the appropriation of $2,650,000 under this head in the Federal Security Agency Appropriation Act, 1948, and the appropriation of $850,000 to the Public Buildings Administration under the head "National Institute of Mental Health" in the Independent Offices Appropriation Act, 1948, shall be consolidated with this appropriation, to be disbursed and accounted for as one fund which shall be available for all of the foregoing purposes; and in addition, contracts may be entered into in the amount of $25,630,000 toward completion of construction and alterations herein authorized (excluding the cost of the acquisition of sites and preparation of plans, specifications, and drawings) at a cost not to exceed $40,000,000: *Provided further*, That the limitations on contract authority and total cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from January 1, 1948, as determined by the Federal Works Administrator: *Provided further*, That said fund (except such part as may be necessary for the incidental expenses of the Public Health Service) shall be transferred to the Public Buildings Administration.

61 Stat. 270.

61 Stat. 595.

Limitations.

Transfer of funds.

Commissioned officers, pay, and so forth: For pay, uniforms and subsistence allowances, increased allowances for foreign service and commutation of quarters for not to exceed one thousand four hundred and fifty-six regular active commissioned officers; for retired pay of regular and reserve commissioned officers; and for six months' death gratuity pay and burial payments for regular commissioned officers; $1,866,300, and the Surgeon General is authorized to transfer to this appropriation from appropriations herein made available to the Public Health Service such additional amounts as may be necessary for pay and allowances of the officers herein authorized.

Post, pp. 444, 445.

Training for nurses: For expenses necessary for completion of the liquidation of the program for training student nurses enrolled prior to October 16, 1945, under the provisions of the Act of June 15, 1943, as amended (50 U. S. C., App. 1451, and following), $350,000, to remain available until December 31, 1949.

57 Stat. 153.

Salaries and expenses: For the divisions and offices of the Office of the Surgeon General and for miscellaneous expenses of the Public Health Service not appropriated for elsewhere, including the supervision of sanitary engineering, nursing, and dental operations of the Public Health Service; maintenance and operation of the water and sanitary investigations station at Cincinnati, Ohio; surveys and investigations concerned with problems of pollution of the waters of

Station at Cincinnati, Ohio.

lakes and rivers of the United States; collecting and compiling mortality, morbidity, and vital statistics, including procurement, by contract without regard to section 3709 of the Revised Statutes, as amended, of transcripts of State, municipal, and other records, and studies and investigations related thereto; preparing information, articles, and publications related to public health; conducting studies and demonstrations in public health methods; and purchase of not to exceed two passenger motor vehicles; $4,047,700. 41 U. S. C. § 5.

Office of International Health Relations: For expenses necessary in connection with international health work and the Public Health Service mission to Liberia, including not to exceed $1,000 for entertainment of officials of other countries when specifically authorized by the Surgeon General, $285,000. Mission to Liberia.

SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For expenses necessary for the maintenance and operation of the hospital, including clothing for patients; purchase of not to exceed four passenger motor vehicles for replacement only; cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness; maintenance and operation of necessary facilities for feeding employees and others (at not less than cost as determined by the Federal Security Administrator), the proceeds therefrom to reimburse the appropriation for the institution; ascertaining the residence of patients whose care by the hospital is no longer authorized, and returning such patients to the place of residence; not exceeding $1,500 for the removal of patients to their friends; and not exceeding $1,500 for the actual and necessary expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of any such patients; $1,573,000. Return of patients.

Construction and equipment, storeroom, and so forth: For completion of construction and equipment for building for storeroom and so forth, Saint Elizabeths Hospital, including the objects specified under the appropriation for this purpose in the Federal Security Agency Appropriation Act, 1942, and necessary land shoring and retaining, contracts may be entered into in the amount of $935,000, the total cost not to exceed $2,685,000, which amount, except such part as may be necessary for the incidental expenses of Saint Elizabeths Hospital, shall be transferred to the Public Buildings Administration, Federal Works Agency: *Provided*, That the limitations on contract authority and total cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from January 1, 1948, as determined by the Federal Works Administrator. 55 Stat. 493. Limitations.

Construction and equipment, building for the housing, care, and treatment of mentally sick patients: For completion of a building for the housing, care, and treatment of mentally sick patients, Saint Elizabeths Hospital, including the objects specified under the appropriation for this purpose in the Federal Security Agency Appropriation Act, 1946, contracts may be entered into in the amount of $2,015,000, the total cost not to exceed $3,915,000 which amount, except such part as may be necessary for the incidental expenses of Saint Elizabeths Hospital, shall be transferred to the Public Buildings Administration, Federal Works Agency: *Provided*, That the limitations on contract authority and total cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from January 1, 1948, as determined by the Federal Works Administrator. 59 Stat. 372. Limitations.

Major repairs and preservation of buildings and grounds: For miscellaneous construction, alterations, repairs, and equipment, on the grounds of the hospital, including extension of roads and sidewalks, fire exits, roof replacement, and installation of elevators and preparation of plans and specifications, advertising, and supervision of construction, $163,000, to remain available until expended: *Provided*, That any part of this amount may be transferred, upon the request of the Federal Security Administrator, to the Public Buildings Administration, Federal Works Agency.

FEDERAL SECURITY AGENCY—GENERAL PROVISIONS

Travel expenses.

SEC. 202. Appropriations under this title available for salaries and expenses shall be available for travel expenses and, when specifically authorized by the Federal Security Administrator, for expenses of attendance at meetings concerned with the function or activity for which any such appropriation is made.

SEC. 203. Appropriations under this title available for salaries and expenses shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

60 Stat. 843.
Post, p. 1008.

SEC. 204. Appropriations under this title available for salaries and expenses shall be available for exchange of books and for payment in advance when authorized by the Federal Security Administrator for dues or fees for library membership in organizations whose publications are available to members only or to members at a price lower than to the general public.

SEC. 205. Appropriations under this title available for salaries and expenses shall be available for health service programs as authorized by law (5 U. S. C. 150) (except for the health service program for employees of the Public Health Service at the seat of government as specifically provided for elsewhere in this title), and such amounts as may be necessary may be transferred to the appropriations of the organizational units operating such programs.

60 Stat. 903.

Printing and binding.

SEC. 206. Appropriations under this title available for salaries and expenses shall be available for printing and binding, including the purchase of reprints.

Citation of title.

SEC. 207. This title may be cited as the "Federal Security Agency Appropriation Act, 1949".

TITLE III—NATIONAL LABOR RELATIONS BOARD

National Labor Relations Board Appropriation Act, 1949.

Salaries and expenses: For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (Public Law 101, approved June 23, 1947), and other laws, including personal services in the District of Columbia; expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Chairman or the General Counsel; purchase of not to exceed two passenger motor vehicles; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); deposits in the Treasury for penalty mail (39 U. S. C. 321d); and payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); $9,400,000: *Provided*, That in making apportionments pursuant to section 3679 of the Revised Statutes, as amended, the entire sum herein appropriated may, if found necessary by the Bureau of the Budget for effective administration, be apportioned for obligation prior to February 1, 1949: *Provided further*, That no part of the funds appropriated in this title shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units

61 Stat. 136.
29 U. S. C., Supp. I, §§ 141-197.
Post, p. 1286.

60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
60 Stat. 843.
Post, p. 1008.
31 U. S. C. § 665.

Agricultural laborers.

composed of agricultural laborers as referred to in section 2 (3) of the Act of July 5, 1935 (49 Stat. 450), and as amended by the Labor-Management Relations Act, 1947 (Public Law 101, approved June 23, 1947), and as defined in section 3 (f) of the Act of June 25, 1938 (52 Stat. 1060).

29 U. S. C., Supp. I, § 152 (3).
61 Stat. 137.
29 U. S. C., Supp. I, § 152.
29 U. S. C. § 203 (f).

This title may be cited as the "National Labor Relations Board Appropriation Act, 1949".

Citation of title.

TITLE IV—NATIONAL MEDIATION BOARD

National Mediation Board Appropriation Act, 1949.

Salaries and expenses: For three members of the Board, and for other expenditures of the National Mediation Board, including stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $332,100, of which amount not to exceed $255,000 may be expended for personal services in the District of Columbia.

60 Stat. 810.

Penalty mail costs: For deposit in the Treasury for penalty mail of the National Mediation Board and the National Railroad Adjustment Board (39 U. S. C. 321d), $750.

58 Stat. 394.
Post, p. 1049.

Arbitration and emergency boards: For necessary expenses of arbitration boards established under section 7 of the Railway Labor Act (45 U. S. C. 157) and emergency boards appointed by the President pursuant to section 10 of said Act (45 U. S. C. 160); necessary transportation expenses of board members to and from their homes or regular places of business, and $6 per diem in lieu of subsistence on such days as they are actually engaged in performance of the duties of said boards; printing and binding; stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $100,000.

44 Stat. 582, 586.
60 Stat. 810.

Printing and binding: For all printing and binding for the National Mediation Board, $7,500.

NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: For necessary expenses of the National Railroad Adjustment Board, including stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $374,200, of which $70,000 shall be available only for compensation, not in excess of $50 per day, and expenses of referees; and not more than $178,000 for other personal services.

60 Stat. 810.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, $48,000.

This title may be cited as the "National Mediation Board Appropriation Act, 1949".

Citation of title.

TITLE V—RAILROAD RETIREMENT BOARD

Railroad Retirement Board Appropriation Act, 1949.
Post, pp. 409, 411.

Salaries: For personal services in the District of Columbia and elsewhere, $3,500,000.

Miscellaneous expenses (other than salaries): For necessary expenditures, including not to exceed $1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; repairs and alterations; contract stenographic reporting services; and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; not to exceed $2,000 for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and purchase of one passenger motor vehicle for replacement only; $844,000.

60 Stat. 843.
Post, p. 1008.

Printing and binding: For printing and binding, $54,000.

58 Stat. 394.
Post, p. 1049.

Penalty mail costs: For deposit in the Treasury for penalty mail (39 U. S. C. 321d), $107,000, of which $75,000 shall be derived from the railroad unemployment insurance administration fund.

49 Stat. 967; 50 Stat. 307.
45 U. S. C. §§ 228a-228s.
Post, p. 576.
50 Stat. 316.
45 U. S. C. § 228o (a).

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Acts of August 29, 1935, and June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, $637,986,000, of which $73,416,000 shall be immediately available: *Provided*, That such total amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937: *Provided further*, That for the purposes of the provisions of section 4 of the Act of June 24, 1937 (50 Stat. 307, ch. 382), as amended, the national emergencies proclaimed by the President on September 8, 1939, and May 27, 1941, shall be deemed to be terminated on the date of the approval of this Act.

50 Stat. 311.
45 U. S. C. § 228d note.
54 Stat. 2643; 55 Stat. 1647.

The foregoing appropriations for salaries and miscellaneous expenses of the Board shall be available for a health-service program as authorized by law (5 U. S. C. 150).

60 Stat. 903.

Citation of title.

This title may be cited as the "Railroad Retirement Board Appropriation Act, 1949".

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

61 Stat. 136.
29 U. S. C., Supp. I, §§ 141-197.
Post, p. 1286.
61 Stat. 154.
29 U. S. C., Supp. I, § 175.

Salaries and expenses: For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (Public Law 101, approved June 23, 1947), including expenses of the Labor-Management Panel as provided in section 205 of said Act; temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of $35 per diem; expenses of attendance at meetings concerned with labor and industrial relations; the purchase of one passenger automobile; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); deposits in the Treasury for penalty mail (39 U. S. C. 321d); and payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); $2,940,000.

60 Stat. 810.
58 Stat. 394.
Post, p. 1049.
60 Stat. 843.
Post, p. 1008.

Boards of inquiry: To enable the Federal Mediation and Conciliation Service to pay necessary expenses of boards of inquiry appointed by the President pursuant to section 206 of the Labor-Management Relations Act, 1947 (Public Law 101, approved June 23, 1947), including printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and rent in the District of Columbia, $150,000.

61 Stat., 155.
29 U. S. C., Supp. I, § 176.
60 Stat. 810.

Citation of title.

This title may be cited as the "Federal Mediation and Conciliation Service Appropriation Act, 1949".

TITLE VII—REDUCTIONS IN APPROPRIATIONS

SEC. 701. Amounts available to the departments and agencies from appropriations for the fiscal year 1948 are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

DEPARTMENT OF LABOR

61 Stat. 261-263.

Salaries and expenses, Commissioners of Conciliation, $1;
Salaries and expenses, United States Conciliation Service, $10,000;
Traveling expenses, Department of Labor, $300,000;
Salaries and expenses, Veterans' Reemployment Function, Office of the Secretary, $52,000;
Miscellaneous expenses (other than salaries), Wage and Hour Division, $11,000.

FEDERAL SECURITY AGENCY

61 Stat. 265, 268-270.

Salaries and expenses, Freedmen's Hospital, $60,000;
Venereal diseases, Public Health Service, $75,000;
Tuberculosis, Public Health Service, $100,000;
Assistance to States, general, Public Health Service, $550,000;
Hospital and construction activities, Public Health Service, $15,000;
Hospitals and medical care, Public Health Service, $150,000;
Foreign quarantine service, Public Health Service, $10,000;
Employee health service programs, Public Health Service, $90,000;
Commissioned officers, pay and so forth, Public Health Service, $75,000;
Training for nurses, Public Health Service, $500,000;
Civilian war benefits, Federal Security Agency, $10,000.

61 Stat. 616.

NATIONAL MEDIATION BOARD

61 Stat. 277.

Salaries and expenses, National Mediation Board, $9,000.

TITLE VIII—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 801. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Short title.

SEC. 802. This Act may be cited as the "Labor-Federal Security Appropriation Act, 1949".

Approved June 14, 1948.

[CHAPTER 466]

AN ACT

June 14, 1948
[H. R. 5770]
[Public Law 640]

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes.

Treasury and Post Office Departments Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—TREASURY DEPARTMENT

Treasury Department Appropriation Act, 1949.
Post, pp. 560, 1047.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1949, namely:

OFFICE OF THE SECRETARY

Salaries: For personal services in the District of Columbia, $380,000: *Provided*, That no part of the money appropriated shall be used to pay the salaries of more than fifteen messengers assigned to duty in the Office of the Secretary.

Messengers, limitation.

Personal or property damage claims: For payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $30,000.

60 Stat. 843.
Post, p. 1008.

Penalty mail costs: For deposit in the Treasury for penalty mail of the Treasury Department (39 U. S. C. 321d), $5,900,000.

58 Stat. 394.
Post, p. 1049.

Refunds under Renegotiation Act: To enable the Secretary of the Treasury to make refunds required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act; and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits, with interest thereon (at a rate not to exceed 4 per centum per annum) as may be determined by the War Contracts Price Adjustment Board, such interest to be computed to the date of certification of the amount to the Treasury Department for payment; $2,000,000: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries, the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representatives shall certify the amount of any refunds to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required.

58 Stat. 80.
50 U. S. C. app. § 1191 (a) (4) (D).
58 Stat. 89.
50 U. S. C. app. § 1191 (i) (3).

56 Stat. 245.
50 U. S. C. app. § 1191; Supp. I, § 1191.
Ante, p. 260.

Certification of amount of refunds.

DIVISION OF TAX RESEARCH

Salaries: For personal services in the District of Columbia, $125,000.

OFFICE OF GENERAL COUNSEL

Salaries: For personal services in the District of Columbia, $250,000.

Salaries and expenses, Office of Contract Settlement: For necessary expenses, including contract stenographic reporting services, to carry out the provisions of the Contract Settlement Act of 1944, $75,000.

58 Stat. 649.
41 U. S. C. §§ 101-125; Supp. I, § 102 *et seq.*; 18 U. S. C. § 590a.
Post, p. 868.

DIVISION OF PERSONNEL

Salaries: For personal services in the District of Columbia, $120,000.

Health service programs, Treasury Department: For health service

programs, as authorized by law (5 U. S. C. 150), for employees of the Department in the District of Columbia, $70,000: *Provided*, That other appropriations in this Act shall be available for health service programs in the field.

60 Stat. 903.

OFFICE OF CHIEF CLERK

Salaries: For personal services in the District of Columbia, $300,000.

MISCELLANEOUS EXPENSES, TREASURY DEPARTMENT

Miscellaneous expenses: For necessary expenses of the Office of the Secretary and the bureaus and offices of the Treasury Department, not otherwise provided for, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings, and including not to exceed $25,000 for printing and binding and purchase of materials for the use of the bookbinder located in the Treasury Department; $240,000.

Operating expenses, buildings.

OFFICE OF SUPERINTENDENT OF TREASURY BUILDINGS

Salaries: For personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and the west and south annexes thereof, $645,000.

FISCAL SERVICE

BUREAU OF ACCOUNTS

Salaries and expenses: For necessary expenses in the District of Columbia, including contract stenographic reporting services and not to exceed $50,000 for printing and binding, $1,475,000: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for printing and binding and other necessary expenses incident to the deposit of withheld taxes in Government depositories pursuant to the Current Tax Payment Act of 1943.

57 Stat. 138.
26 U. S. C. § 1631.

Salaries and expenses: For necessary expenses of the Division of Disbursement, including personal services in the District of Columbia, and printing and binding, $10,000,000: *Provided*, That with the approval of the Bureau of the Budget there may be transferred to this appropriation from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government-owned or -controlled corporations, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Transfer of funds.

Ante, p. 405.
Post, p. 525.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (31 U. S. C. 545), for the collection, safekeeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649, Revised Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, $375,000.

Recoinage of silver coins: For expenses necessary to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the

Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $150,000.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska (not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska), to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, $18,000.

Refund of moneys erroneously received and covered: For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, $700,000.

48 Stat. 1231.
31 U. S. C. § 725q.

Payment of certified claims: For the payment of claims (not to exceed $500 in any case) which may be certified during the fiscal year 1949 by the Comptroller General of the United States to be lawfully due, within the limits of, and chargeable against the balances of the respective appropriations heretofore made which, after remaining unexpended, have been carried to the surplus fund pursuant to section 5 of the Act of June 20, 1874 (31 U. S. C. 713), $800,000.

18 Stat. 110.

Payment of unclaimed moneys: For meeting any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", $100,000.

48 Stat. 1230.
31 U. S. C. § 725p.

BUREAU OF THE PUBLIC DEBT

Administering the public debt: For necessary expenses connected with any public-debt operations authorized by the Second Liberty Bond Act, as amended (31 U. S. C. 760–762), and with the administration of any public debt or currency issues of the United States with which the Secretary of the Treasury is charged, including not to exceed $4,250,000 for promoting the sale of savings bonds, $52,000,000, to be expended as the Secretary of the Treasury may direct, and the Secretary is authorized to accept services without compensation: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for expenditures made by them as fiscal agents of the United States on account of public-debt transactions for the account of the Secretary of the Treasury, and advances to the Postmaster General may be made in accordance with the provisions of section 22 (e) of the Second Liberty Bond Act, as amended (31 U. S. C. 757c (e)), which section shall be construed as applying to this appropriation: *Provided further*, That the indefinite appropriation provided by section 10 of the Second Liberty Bond Act, as amended, shall not be available for obligation during the fiscal year 1949.

40 Stat. 288.
31 U. S. C. § 774 (2).

Reimbursement of Federal Reserve banks.

55 Stat. 8.

40 Stat. 292.
31 U. S. C. § 760.

Distinctive paper for United States currency: For distinctive paper for United States currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty, $1,300,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1949 between the two bidders whose prices per pound are the lowest received after advertisement.

Division of award.

OFFICE OF THE TREASURER OF THE UNITED STATES

Salaries and expenses: For necessary expenses of the Office of the Treasurer, including not to exceed $100,000 for printing and binding, $4,980,000: *Provided*, That with the approval of the Bureau of the Budget, there may be transferred to this appropriation, from Railroad Retirement Board, "Conservation and use of agricultural land resources, Department of Agriculture," and from available corporate funds of Government owned or controlled corporations, such sums as may be necessary to cover the expenses incurred in the clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Transfer of funds.
Ante, p. 405.
Post, p. 525.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For necessary expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue, including one stamp agent (to be reimbursed by the stamp manufacturers) and the employment of experts; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and contract stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872–881), and the operation, maintenance, and repair of property acquired under such title III; purchase, for replacement (not to exceed three hundred and thirty-four) and hire of passenger motor vehicles, as follows: for personal services, $174,000,000, of which not to exceed $16,530,000 may be expended for personal services at the seat of Government; and for objects of expenditure other than personal services, $19,584,000, including printing and binding (not to exceed $2,576,500), stationery (not to exceed $1,500,000), ammunition, and not to exceed $500,000 for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation; in all for salaries and expenses, $193,584,000: *Provided*, That not to exceed $150,000 of the amount appropriated under this head for the fiscal year 1949 shall be available for expenses by contract or otherwise, of such management and operational studies as are necessary in the Bureau of Internal Revenue.

40 U. S. C. §§ 304f-304m.

Printing and binding.

Detection and prosecution of violators.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, $4,500.

BUREAU OF NARCOTICS

Salaries and expenses: For expenses, including the securing of information and evidence, necessary to enforce sections 2550–2565; 2567–2571; 2590–2603; 3220–3228; 3230–3238 of the Internal Revenue Code; the Narcotic Drugs Import and Export Act, as amended (21

53 Stat. 269–283, 382–387.
26 U. S. C. § 2550 *et seq.*; Supp. I, § 3228 note.

35 Stat. 614.
46 Stat. 585.
56 Stat. 1045.
21 U. S. C. §§ 188–188n; Supp. I, § 188j note.
60 Stat. 810.

U. S. C. 171–184); the Act of June 14, 1930 (5 U. S. C. 282–282c and 21 U. S. C. 197–198) and the Opium Poppy Control Act of 1942 (21 U. S. C. Supp. V, 188–188n), including the employment of attorneys; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); the costs of chemical analyses made by others than employees of the United States; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, forfeiture, storage, and disposition of property under the Act of August 9, 1939 (49 U. S. C. 781–788), and the internal-revenue laws; hire of motor vehicles; purchase of arms and ammunition; in all, $1,450,000, including personal services in the District of Columbia and printing and binding; not exceeding $10,000 for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, and not exceeding $10,000 for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice.

53 Stat. 1291.

Dissemination of information, etc.

Apprehension of narcotic law violators.

BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

38 Stat. 785.
26 U. S. C. §§ 2550, 3220 notes.
Post, pp. 413, 1047.

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; and other necessary expenses, including engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; purchase of card and continuous form checks; equipment of, repairs to, and maintenance of buildings and grounds and minor alterations to buildings; periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not to exceed $500; traveling expenses not to exceed $15,000; printing and binding; transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed $15,000; $12,500,000, to be expended under the direction of the Secretary of the Treasury.

Materials.

Scientific investigations.

During the fiscal year 1949 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriations for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriations for such Bureau for the fiscal year 1949.

Crediting of proceeds from work.

24 Stat. 227.

SECRET SERVICE DIVISION

Salaries and expenses, Secret Service: For expenses necessary in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws

of the United States relating to the Treasury Department and the several branches of the public service under its control, and for the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, including personal services in the District of Columbia; purchase (not to exceed sixteen for replacement only) and hire of passenger motor vehicles; printing and binding; and purchase of arms and ammunition; $1,715,000: *Provided*, That of the amount herein appropriated not to exceed $15,000 may be expended, with the approval of the Chief of the Secret Service, for the purpose of securing information concerning violations of the laws relating to the Treasury Department and for services or information looking toward the apprehension of criminals.

Protection of the President, etc.

Information concerning law violations.

Salaries and expenses, White House Police: For salaries and expenses, including uniforms and equipment, purchase and repair of revolvers, and the purchase and issue of ammunition and miscellaneous supplies, to be purchased in such manner as the President may determine, $370,000.

Salaries and expenses, guard force, Treasury buildings: For expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, and elsewhere, including purchase, repair, and cleaning of uniforms, purchase of two passenger motor vehicles for replacement only, and the purchase of arms and ammunition and miscellaneous equipment, $645,000: *Provided*, That not to exceed $168,925 of the appropriation "Salaries and expenses, Bureau of Engraving and Printing", may be transferred to this appropriation to cover service rendered such Bureau in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail two agents of the Secret Service to supervise such force.

Transfer of funds.

Ante, p. 412.

Supervisors.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: For reimbursement to the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled thereto under the Act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1949, pursuant to section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended, $84,600.

Reimbursement to D. C. for certain benefit payments.

D. C. Code § 4-508.

D. C. Code § 4-503.

BUREAU OF THE MINT

Salaries and expenses: For necessary expenses at the mints at Philadelphia, Pennsylvania, San Francisco, California, and Denver, Colorado; the assay offices at New York, New York, and Seattle, Washington; the bullion depositories at Fort Knox, Kentucky, and West Point, New York; the Office of the Director of the Mint; and for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, including personal services in the District of Columbia, printing and binding, new machinery and repairs, arms and ammunition, purchase and maintenance of uniforms and accessories for guards, protective devices, and their maintenance, training of employees in use of firearms and protective devices, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $1,000 for the expenses of the annual assay commission, and not exceeding $1,000 for the acqui-

48 Stat. 337, 1178. 31 U. S. C. §§ 440, 448.

Annual assay commission.

sition, at the dollar face amount or otherwise, of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces, and ores; $4,500,000.

Transportation of bullion and coin: For transportation of bullion and coin, between mints, assay offices, and bullion depositories, $5,000, including compensation of temporary employees and other necessary expenses.

BUREAU OF FEDERAL SUPPLY

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia and in the field service, office supplies and materials, stationery, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Bureau of Federal Supply of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field, $1,275,000: *Provided*, That the Secretary of the Treasury is authorized and directed to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Bureau of Federal Supply, respectively, from any such department or establishment, where the transfer or detail of such employee is incident to a transfer of a function or functions to that Bureau and (b) such amount as the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred: *Provided further*, That when there has been or shall be transferred from any agency of the Government to the Bureau of Federal Supply any function of warehousing, and the agency from which such function is being transferred is authorized at the time of such transfer to perform functions of procurement, warehousing, or distribution of property, equipment, stores, or supplies for non-Federal agencies the Bureau of Federal Supply is authorized to continue the performance of such functions for such non-Federal agencies where such functions are to be discontinued by the agency from which the warehousing function has been transferred, and the receipts, including surcharge, for all issues to and all advances by all non-Federal agencies shall be credited to the general supply fund: *Provided further*, That payments to the general supply fund for materials, and supplies (including fuel), and services, and overhead expenses for all issues shall be made on the books of the Treasury Department by transfer and counterwarrants prepared by the Bureau of Federal Supply of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Bureau of Federal Supply at issue prices to be fixed by the Director of Federal Supply: *Provided further*, That payments covering transactions between the Bureau of Federal Supply and field offices of other Government agencies whose detailed appropriation or fund accounts are maintained elsewhere than within the District of Columbia, may be made on the basis of itemized vouchers or invoices prepared by the Bureau of Federal Supply and sent through the appropriate field offices to the disbursing officers for the agencies involved, who are hereby authorized to make payment based (1) upon certification of the Bureau of Federal Supply, which shall include the specific statement that the vouchers are issued pursuant to and in conformity with purchase orders or requisitions duly executed by the agency billed, and (2) upon approval and certification of such vouchers by the

Transfer of funds.

Continuance of warehousing functions for non-Federal agencies.

Payments for supplies, services, etc.

Transactions with field offices of other Government agencies.

agency billed, which action shall be based upon acceptance of the Bureau of Federal Supply certification as made, subject to later adjustment if necessary, the responsibility of the certifying officer to be limited to the availability of the funds to be charged: *Provided further*, That the general supply fund may be used to purchase from or through the Public Printer standard forms and blank-book work for field warehouse stocking and issue, but issues thereof shall be made only to Government agencies and shall be chargeable to applicable appropriation authorizations or limitations of such agencies for printing and binding, and reports of such issues shall be made as the Public Printer may require: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1949 shall be credited to the general supply fund: *Provided further*, That per diem employees engaged in work in connection with operations of the fuel yards may be paid rates of pay approved by the Secretary of the Treasury not exceeding current rates for similar services in the District of Columbia: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the reconditioning and repair of surplus property and equipment for disposition or reissue to Government service, may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

Standard forms and blank-book work.

Crediting of advances. 47 Stat. 417.

Per diem employees at fuel yards.

"Fuel."

Reconditioning of surplus property.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia and areas adjacent thereto may be made at cost by the Bureau of Federal Supply, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

Typewriting machines, repairs.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1949 for the purchase, within the continental limits of the United States, of any typewriting machines (except bookkeeping and billing machines and typewriting machines for veterans under public laws administered by the Veterans' Administration).

Restriction on use of funds.

Each agency in the executive branch of the Government (which shall include all departments, independent establishments, and wholly owned Government corporations) is authorized and directed (1) to report within thirty days after the enactment of this Act, or by July 1, 1948, whichever is the later, to the Director of the Bureau of Federal Supply the total number of typewriting machines in the possession or custody of such agency and the number thereof surplus to its requirements, and (2) to surrender and ship such surplus typewriting machines as the Director of the Bureau of Federal Supply may direct. Costs of packing and shipping hereunder shall be charged to the general supply fund. Each agency shall furnish the Director of the Bureau of Federal Supply such information regarding typewriting machines as he may from time to time request. The Bureau of Federal Supply is authorized and directed to receive and hold all typewriting machines surrendered to it hereunder and to distribute same to any of such agencies as the Director of the Bureau of Federal Supply may determine. Notwithstanding the foregoing paragraphs, in the event the Director of the Bureau of Federal Supply is unable to furnish any such agency with suitable typewriters out of stock on hand, he may purchase typewriters for the account of such agency: *Provided*, That the price paid during any quarter of the fiscal year for such typewriters shall not exceed ninety per centum of the lowest net cash price, plus applicable Federal excise taxes, accorded the most favored customer (other than the Government of the United States, or any agency thereof, and purchasers of typewriters for educational instruction

Report of number of typewriters by agencies.

Purchase price.

purposes only) of the manufacturer of such machines during the six-month period immediately preceding such quarter.

Survey, etc., of surplus typewriters.

The Director of the Bureau of Federal Supply is authorized and directed at such times as he may determine to be necessary to survey and determine the number and kinds of typewriters which are at any time surplus to the requirements of any agency. Upon such determination the Director of the Bureau of Federal Supply is authorized to direct, upon such notice and in such manner as he may prescribe, the head of any agency to surrender to the Bureau of Federal Supply any and all typewriting machines, surplus to its requirements, and such determination and direction by the Director of the Bureau of Federal Supply shall be final and conclusive upon all agencies, officers, and employees of the executive branch of the Government of the United States.

The Director of the Bureau of Federal Supply is authorized to charge each agency to which typewriting machines are supplied hereunder amounts equal to the fair value thereof, as determined by him, and such amounts shall be credited to the general supply fund.

General supply fund, Bureau of Federal Supply: To increase the general supply fund established by the Act approved February 27, 1929, as amended (41 U. S. C. 7c), $1,500,000.

45 Stat. 1342.

Printing and binding: For printing and binding for the Bureau of Federal Supply, including printed forms and miscellaneous items for general use of the Treasury Department, the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, $170,000, together with not to exceed $30,000 to be transferred from the general supply fund, Treasury Department.

Net renegotiation rebates: For necessary expenses, including personal services in the District of Columbia, in connection with the processing and determination of net renegotiation rebates under section 403 (a) (4) (D) of the Renegotiation Act, $125,000.

58 Stat. 80.
50 U. S. C. app. § 1191 (a) (4) (D).

Payment of salaries and expenses, restriction.

No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act.

Citation of title.

This title may be cited as the "Treasury Department Appropriation Act, 1949".

TITLE II—POST OFFICE DEPARTMENT

Post Office Department Appropriation Act, 1949.
Post, p. 564.

The following sums are appropriated in conformity with 5 United States Code 361, 380; 39 United States Code 786, for the Post Office Department for the fiscal year ending June 30, 1949, namely:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, including a health service program as authorized by law (5 U. S. C. 150), $395,000.

60 Stat. 903.

SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of Budget and Administrative Planning, $65,000.

Office of the First Assistant Postmaster General, $1,162,500.

Post, p. 564.

Office of the Second Assistant Postmaster General, $968,000.

Office of the Third Assistant Postmaster General, $1,350,000.
Office of the Fourth Assistant Postmaster General, $823,000.
Office of the Solicitor for the Post Office Department, $250,000.
Office of the Chief Inspector, $405,000.
Office of the Purchasing Agent, $85,000.
Bureau of Accounts, $505,000.

Post, p. 564.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For necessary, contingent and miscellaneous expenses not otherwise provided for; purchase and exchange of lawbooks and books of reference; newspapers; and travel expenses of the purchasing agent and of the solicitor and personnel connected with his office, not exceeding $2,100; $172,150.

For printing and binding for the Post Office Department and Postal Service, $2,114,000.

Field service appropriations, restriction on use.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may be paid from the appropriations for the service in connection with which the travel is performed: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence: *And provided further*, That the appropriations for the Post Office Department and the Postal Service shall be available for expenditures in connection with accident prevention, but no appropriation made for the field service shall be expended on account of the Post Office Department in the District of Columbia.

Travel expenses.

Examination of estimates.

Accident prevention.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Travel and miscellaneous expenses: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, $3,000.

Damage claims: For the payment of claims for damages to persons or property occurring in the fiscal year 1949, or in prior fiscal years, pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), and in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (31 U. S. C. 224c), $175,000.

Post, p. 564.

60 Stat. 843.
Post, p. 1008.

42 Stat. 63.
48 Stat. 1207.

Adjusted losses and contingencies: To pay to postmasters, navy mail clerks, and assistant navy mail clerks, coast guard mail clerks, assistant coast guard mail clerks, army mail clerks, and assistant army mail clerks, or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1949, or prior fiscal years, through unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended by the Act approved December 7, 1945 (39 U. S. C. 49), $75,000.

22 Stat. 29; 59 Stat. 603.
39 U. S. C., Supp. I, §49 note.

OFFICE OF THE CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and eight hundred inspectors, $4,350,000.

Travel and miscellaneous expenses: For necessary travel and miscellaneous expenses incurred in the operation of the post office

Chemical, etc., investigations.

P. O. inspection service.

inspection service, not to exceed $27,600 for chemical and other investigations, and not to exceed $500 for books of reference, $958,000.

Clerks: For compensation of not exceeding three hundred and eighty-nine clerks in the post office inspection service, $1,178,000.

Rewards: For payment of rewards for the detection, arrest, and conviction of post office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite, or explode, fiscal year 1949 and prior years, $55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 28673, dated July 28, 1945: *Provided further*, That of the amount herein appropriated not to exceed $20,000 may be expended in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Death of offender.

Limitation.

Securing of information.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and to persons who perform the duties for postmasters of the fourth class absent on sick or annual leave or leave without pay, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, $87,900,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, $12,600,000.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, mail handlers, and substitutes, and the maintenance of health service program as authorized by law (5 U. S. C. 150), $530,000,000.

60 Stat. 903.

Contract station service: For contract station service, $3,500,000.

Separating mails: For separating mails at fourth-class post offices, $180,000.

Unusual conditions: For unusual conditions at post offices, $25,000.

Clerks, third-class post offices: For compensation to clerks at third-class post offices, $25,500,000.

Miscellaneous items, first- and second-class post offices: For expenses necessary for the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, $3,850,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $300,000.

Detroit River service: For Detroit River postal service, $12,750.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special delivery carfare, cost of transporting carriers by privately owned automobiles to and from their routes, at rates not exceeding regular streetcar or bus fare, and purchase, maintenance, and exchange of bicycles, $2,900,000.

City delivery carriers: For pay of letter carriers, city delivery service, and United States official mail and messenger service, $326,000,000.

Special delivery service: For compensation and fees to special delivery messengers, $16,000,000.

Rural delivery service: For pay for rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, tolls and ferriage, and necessary expenses of the rural delivery service, $135,719,000, of which not less than $200,000 shall be available for extensions and new service. *Post*, p. 564.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star route service: For inland transportation by star routes, including temporary service to newly established offices, $25,501,000.

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, $2,133,000.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, $165,881,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service.

Railway mail service, salaries: For fifteen general superintendents, fifteen assistant general superintendents, two assistant general superintendents at large, one hundred and twenty district superintendents, one hundred and twenty assistant district superintendents, and other employees in the railway mail service, $109,188,000.

Railway mail service, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, $5,237,000.

Railway mail service, travel expenses: For travel expenses of departmental officials and supervisory employees of the railway mail service, and railway postal clerks, $66,000.

Railway mail service, miscellaneous expenses: For necessary expenses of the railway mail service not provided for in other appropriations, $490,000.

Electric car service: For electric car service, $220,000.

Foreign mail transportation: For transportation of foreign mails, except by aircraft, $23,762,800: *Provided*, That not to exceed $12,500 is hereby made available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Sixth Congress of the Postal Union of the Americas and Spain, The Executive and Liaison Commission and the Transit Commission of the Universal Postal Union, and the conference on revision of the 1929 "Prisoners of War" Convention, to be expended in the discretion of the Postmaster General and accounted for on his certificate, which certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended, which amount shall be available until December 31, 1949. Attendance at certain conferences.

Balances due foreign countries: For balances due foreign countries, fiscal year 1949 and prior years, $3,000,000: *Provided*, That there shall be established immediately, by transfer of $5,000,000 from the appropriation for "Balances due foreign countries" for the fiscal year 1948, a revolving fund which shall be available without fiscal year limitation for advances to air carriers for the transportation of air mail from foreign countries to the United States as authorized by section 2 of the Act of July 27, 1940 (49 U. S. C. 485b), and payments hereafter received from foreign countries on account of air carriers for the transportation of air mail from foreign countries to the United States shall be credited to such fund. *Post*, p. 564. Transfer of funds. 61 Stat. 231. 54 Stat. 863.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1949 and prior years, $17,500. *Post*, p. 564.

Post, p. 564.

Foreign air mail service: For transportation of foreign mails by aircraft, as authorized by law, $23,042,000.

Post, p. 564.

Domestic air mail service: For expenses necessary for the inland transportation of mail by aircraft, as authorized by law, including not to exceed $176,000 for supervisory officials and clerks at field headquarters, $32,000,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Post, p. 564.

U. S. Stamped Envelope Agency.

Stamps and stamped paper: For manufacture and distribution of stamps and stamped paper, and not to exceed $30,000 for compensation to employees and other necessary expenses of the United States Stamped Envelope Agency, $9,335,000.

Post, p. 564.

Indemnities, domestic mail: For payment of indemnity for the injury or loss of domestic registered, insured, and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, fiscal year 1949 and prior years, $3,775,000.

Post, p. 564.

Unpaid money orders: For payment of domestic money orders after one year from the last day of the month of issue of such orders, $900,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post, p. 564.

Labor-saving devices.

Sale of maps.

Miscellaneous supplies and equipment: For the purchase, manufacture, repair, and installation of necessary miscellaneous equipment and supplies for the Postal Service not provided for in other appropriations; for the purchase of atlases and geographical and technical works not to exceed $1,500; and not exceeding $191,400 for personal services, including salaries of fourteen traveling mechanicians; for rental of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices; and for travel expenses; $7,658,000, of which $400,000 shall be available exclusively for the purchase of modern mechanical postal devices, and of which $50,000 shall be available exclusively for mechanizing devices for separation of mails, and $50,000 shall be available exclusively for the necessary research, and for the design, manufacture, and installation of pilot mail-sorting equipment, as recommended on page 73 of House Report Numbered 1656, Eightieth Congress, second session, and for the necessary supervision of the installation and operation of such equipment: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps at the cost of printing and 10 per centum thereof added.

Post, p. 564.

60 Stat. 903.

Distinctive equipment.

Equipment shops: For the purchase, manufacture, and repair of mail bags and other equipment for the postal service not provided for in other appropriations; necessary expenses for the operation, maintenance, and protection of the mail equipment shops building, grounds, and equipment, and a health service program as authorized by law (5 U. S. C. 150); $12,853,625, of which not to exceed $1,255,000 may be expended for personal services in the District of Columbia and not exceeding $15,000 for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for services in Alaska, Puerto Rico, Hawaii, or other island possessions.

Rent, fuel, and utility services: For rent, light, power, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, $14,750,000.

Pneumatic tube service: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn; and for rental of not exceeding two miles of pneumatic tubes, not including labor and

power in operating the same, for the transmission of mail in the city of Boston, Massachusetts; $740,000: *Provided*, That the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable to the city of New York, and the provisions not inconsistent herewith of the Acts of April 21, 1902, and May 27, 1908 (39 U. S. C. 423), shall be applicable to the city of Boston.

32 Stat. 114; 35 Stat. 412; 42 Stat. 661.
Post, p. 1163.

Post, p. 1163.

Vehicle service: For the hire, purchase, maintenance, repair, and operation of vehicles for use in the collection, transportation, delivery, and supervision of the mail, including the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service; the rental of garage facilities; lease of quarters not exceeding a term of ten years for the housing of Government-owned motor vehicles, and including compensation to necessary employees in the motor vehicle service, $42,457,000, of which $4,400,000 shall be available exclusively for the purchase of trucks: *Provided*, That the Postmaster General may purchase and maintain from this appropriation such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Housing of vehicles.

Tractors and trailer trucks.

Maintenance, restriction.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, $1,000,000.

Operating force, public buildings: For compensation to employees in the custodial service, $44,600,000.

Operating supplies, public buildings: For necessary miscellaneous articles, services and supplies, including transportation thereof, required for the operation of completed and occupied public buildings and grounds operated by the Post Office Department, $7,320,000, which shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $250 at any one building: *Provided*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Personal services, limitation.

Telephone service.

Equipment, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, $950,000: *Provided*, That excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan of furniture.

Post, p. 565.

Personal services, limitation.

Use of present furniture.

Deficiency appropriation.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1949, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Reports to Congressional committees.

During the fiscal year 1949, the Postmaster General shall make quarterly reports to the Senate and House Committees on Appropriations, showing for each quarter the amount paid from each appropriation for overtime, the number of employees receiving such overtime, and the number of hours of overtime worked by such employees, together with a statement as to the necessity for such overtime work.

Transfer of funds, restriction.

Not to exceed 5 per centum of any appropriation for the Field Service, Post Office Department, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other appropriation or appropriations under the said Service, but no appropriation shall be increased more than 10 per centum by such transfers.

Citation of title.

This title may be cited as the "Post Office Department Appropriation Act, 1949".

TITLE III—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*,

Affidavit.

That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*

Penalty.

further, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 302. This Act may be cited as the "Treasury and Post Office Departments Appropriation Act, 1949".

Approved June 14, 1948.

[CHAPTER 467]

AN ACT

June 14, 1948
[H. R. 6500]
[Public Law 641]

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1949, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1949, namely:

Legislative Branch Appropriation Act, 1949.
Post, p. 1027.

SENATE

SALARIES, MILEAGE, AND EXPENSES OF SENATORS

For compensation of Senators, $1,200,000.

For mileage of the President of the Senate and of Senators, $51,000.

For expense allowance of Senators, $240,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, clerks to Senators, and others, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1267.

OFFICE OF THE VICE PRESIDENT

For compensation of the Vice President of the United States, $20,000.

For clerical assistance to the Vice President, at rates of compensation to be fixed by him, $32,385.

CHAPLAIN

Chaplain of the Senate, $2,520.

OFFICE OF THE SECRETARY

For office of the Secretary, $311,515: *Provided*, That the basic lump sum for additional clerical assistance and readjustment of salaries in the disbursing office is increased by $3,300.

Disbursing office.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees, $1,335,785.

Public Law 4, approved February 19, 1947, is hereby amended by inserting in the paragraph relating to the clerical staff of the Appropriations Committee after the words "one assistant chief clerk", the words "and two assistant clerks".

61 Stat. 5.
2 U. S. C., Supp. I, § 72a note.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $26,380.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $26,380.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, $4,482,555.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Post, p. 1027.

For office of Sergeant at Arms and Doorkeeper, $843,655, including fifteen additional privates, Capitol Police force, as authorized by Public Law 299, Eightieth Congress: *Provided*, That hereafter the pay of pages shall be at the basic rate of $1,800 per annum and shall continue until the end of the month during which the Congress adjourns sine die, or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date: *Provided further*, That the basic annual rates of compensation for the following positions shall be: Two assistant superintendents of press gallery at $2,400 each, and messenger for service to press correspondents $1,920 in lieu of assistant superintendent of press gallery $2,400 and two messengers for service to press correspondents at $1,920 each; and two assistant superintendents of radio press gallery at $2,400 each in lieu of assistant superintendent of radio press gallery $2,400.

61 Stat. 695.
Pay of pages.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

For the offices of the secretary for the majority and the secretary for the minority, $43,620.

CONTINGENT EXPENSES OF THE SENATE

Legislative reorganization: For salaries and expenses, legislative reorganization, including the objects specified in Public Law 663, Seventy-ninth Congress, $100,000.

60 Stat. 911.

Senate policy committees: For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $41,000 for each such committee; in all, $82,000.

Joint Committee on the Economic Report: For salaries and expenses of the Joint Committee on the Economic Report, $70,000.

Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, including the objects specified in Public Law 20, Eightieth Congress, $150,000.

61 Stat. 16.

Joint Committee on Printing: For salaries for the Joint Committee on Printing, $19,710, and for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $21,310.

Joint Committee on Labor-Management Relations: For salaries and expenses of the Joint Committee on Labor-Management Relations created by section 401 of the Labor-Management Relations Act, 1947 (Public Law 101, Eightieth Congress), $50,000.

61 Stat. 160.
29 U. S. C., Supp. I, § 191.

Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $5,000.

Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $7,500.

Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of two automobiles, one for the majority leader of the Senate, and one for the minority leader of the Senate, $10,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $99,315.

Furniture: For services in cleaning, repairing, and varnishing furniture, $2,760.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, $12,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, but not exceeding the rate of 25 cents per hundred words for the original transcript of reported matter; and including $50,000 for the Committee on Appropriations for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, and Public Law 20, Eightieth Congress, $650,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses, except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

60 Stat. 831.

61 Stat. 15.

44 Stat. 688. 5 U. S. C. § 821.

Folding documents: For folding speeches and pamphlets at a basic rate not exceeding $1 per thousand, $25,000.

Materials for folding: For materials for folding, $1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,000.

Senate restaurants: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $42,500.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $9,560.

Miscellaneous items: For miscellaneous items, exclusive of labor, $626,765.

Packing boxes: For packing boxes, $3,000.

Postage stamps: For office of Secretary, $350; office of Sergeant at Arms, $150; in all, $500.

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate as authorized by law, $10,250.

Stationery: For stationery for Senators and for the President of the Senate, including $10,000 for stationery for committees and offices of the Senate, $58,500: *Provided*, That commencing with the fiscal year 1949 the allowance for stationery for each Senator and for the President of the Senate shall be $500 per annum.

Ante, p. 213; *post*, p. 1027.

Office space for Senators.

The Sergeant at Arms is authorized and directed to secure suitable office space in post office or other Federal buildings in the State of each Senator for the use of such Senator and in the city to be designated by him: *Provided*, That in the event suitable space is not available in such buildings and a Senator leases or rents office space elsewhere, the Sergeant at Arms is authorized to approve for payment from the contingent fund of the Senate, vouchers covering bona fide statements of rentals due in an amount not exceeding $900 per annum for each Senator.

Payment of rent.

Insurance against loss of funds.

Commencing with the fiscal year 1949 the Secretary of the Senate is authorized and directed to protect the funds of his office by purchasing insurance in an amount necessary to protect said funds against loss. Premiums on such insurance shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Rules and Administration.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the Senate" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by

59 Stat. 295; 60 Stat. 216. 5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.* *Post*, p. 1267.

the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

HOUSE OF REPRESENTATIVES

SALARIES, MILEAGE, AND EXPENSES OF MEMBERS

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, $5,482,500.

For mileage and expense allowance of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, as authorized by law, $1,266,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers and employees, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", as follows:

59 Stat. 295; 60 Stat. 216. 5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.* *Post*, p. 1267.

OFFICE OF THE SPEAKER

For Office of the Speaker, $38,000.

THE SPEAKER'S TABLE

For the Speaker's table, including $2,000 for preparing Digest of the Rules, $25,120.

CHAPLAIN

For the Chaplain, $3,750.

OFFICE OF THE CLERK

For the Office of the Clerk, $413,715, including ten additional telephone operators at the basic salary rate of $1,800 per annum, each.

COMMITTEE EMPLOYEES

For committee employees, including a sum of not to exceed $185,000 for the Committee on Appropriations, $1,500,000.

OFFICE OF THE SERGEANT AT ARMS

For Office of the Sergeant at Arms, $275,325.

OFFICE OF THE DOORKEEPER

Pay of pages.

For Office of the Doorkeeper, $465,560: *Provided*, That hereafter the pay of pages shall be at the basic rate of $1,800 per annum and shall continue until the end of the month during which the Congress adjourns sine die, or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date.

SPECIAL AND MINORITY EMPLOYEES

For six minority employees, $35,890.

For three special employees, $7,040.

For office of the majority floor leader, including $2,000 for official expenses of the majority leader, $32,825.

For office of the minority floor leader, $24,260.

For two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, $5,105.

For two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, $5,820.

For two clerks, one for the majority whip and one for the minority whip, to be appointed by said whips, respectively, $8,580.

For a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, $5,120.

OFFICE OF THE POSTMASTER

For Office of the Postmaster, $135,480.

OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, $100,865.

OFFICIAL REPORTERS TO COMMITTEES

For official reporters to committees, $84,725.

APPROPRIATIONS COMMITTEE

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, to be expended in accordance with section 202 (b) of the Legislative Reorganization Act, 1946, $150,000.

60 Stat. 834.
2 U. S. C. § 72a (b).

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, $5,915,000, as authorized by law, including increased and additional compensation provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1267.

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including labor, tools, and machinery for furniture repair shops, and for the purchase of packing boxes, $115,000.

Miscellaneous items: For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of $27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Law 812); the sum of $1,200 for the exchange, operation, maintenance, and repair of the Clerk's motor vehicles; the sum of $500 for the exchange, operation, maintenance, and repair of the folding room motor truck; the sum of $2,200 for the purchase, exchange, maintenance, operation, and repair of the post-office motor vehicles for carrying the mails; the sum of $600 for hire of automobile for the Sergeant at Arms, and materials for folding; in all, $165,000: *Provided*, That no part of this appropriation shall be used to pay the salaries of three additional laborers authorized in section 2 of the House Resolution Numbered 385, adopted December 17, 1943, and such positions are hereby abolished.

54 Stat. 1056.

Restriction.

Reporting hearings: For stenographic reports of hearings of committees other than special and select committees, $65,000.

Special and select committees: For salaries and expenses of special and select committees authorized by the House, $600,000.

Joint Committee on Internal Revenue Taxation: For the payment of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation, $155,000.

Office of the Coordinator of Information: For salaries and other expenses of the Office of the Coordinator of Information, $65,000.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, $450,000.

Stationery (revolving fund): For a stationery allowance of $500 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the first session of the Eighty-first Congress, and for stationery for the use of the committees, departments, and officers of the House (not to exceed $8,000), $227,000, to remain available until expended.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of $1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed $30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, $6,985.

Postage stamps: Postmaster, $200; Clerk, $400; Sergeant at Arms, $250; Doorkeeper, $100; and to enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air-mail and special-delivery postage stamps as authorized by law, $32,850; in all, $33,800.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding $1 per thousand or for the employment of personnel at a rate not to exceed $5.20 per day per person, $65,000.

45 Stat. 1008; 61 Stat. 640, 641.
1 U. S. C., Supp. I, § 213.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), $10,000, to be expended under the direction of the Committee on the Judiciary.

Speaker's automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, $5,200.

Salaries or wages paid out of the foregoing items under "Contingent expenses of the House" shall be computed at basic rates as authorized by law, plus increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946".

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1267.

Defraying of designated expenses, restriction.

No part of the appropriation contained in this title for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children, or both, of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

CAPITOL POLICE

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, continent expenses, including $25 per month

for extra services performed by a member of such force for the Capitol Police Board, $17,900.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, $8,600. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

Capitol Buildings and Grounds, etc.
Additional protection.

Status of detailed personnel.

Reimbursement for salaries, etc.

Details from Metropolitan Police, D. C.

55 Stat. 456.
54 Stat. 629.

The foregoing amounts under "Capitol Police" shall be disbursed by the Clerk of the House.

Disbursement.

OFFICE OF THE LEGISLATIVE COUNSEL

For salaries and expenses of maintenance of the Office of the Legislative Counsel, as authorized by law, including increased and additional compensation as provided by the "Federal Employees Pay Act of 1945", as amended by the "Federal Employees Pay Act of 1946", $180,000, of which $100,000 shall be disbursed by the Secretary of the Senate and $80,000 by the Clerk of the House of Representatives.

59 Stat. 295; 60 Stat. 216.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1267.

EDUCATION OF SENATE AND HOUSE PAGES

For reimbursement to the District of Columbia for education of congressional pages and pages of the Supreme Court, pursuant to the provisions of section 243 of the Act approved August 2, 1946 (Public Law 601), $29,300, which amount shall be credited to the appropriation for "General supervision and instruction, public schools, District of Columbia, 1949", and the Board of Education of the District of Columbia is hereby authorized to employ such personnel for the education of pages as may be required and to pay compensation for such services in accordance with such rates of compensation as the Board of Education may prescribe.

60 Stat. 839.
2 U. S. C. § 88a.
Post, p. 539.

STATEMENT OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the second session of the Eightieth Congress, showing appropriations made, indefinite appropriations, and contracts author-

ized, together with a chronological history of the regular appropriation bills as required by law, $4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol (whose compensation shall be at the rate of $7,000 per annum), Chief Architectural and Engineering Assistant, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect, and, in case of the absence or disability of the Assistant Architect, the Chief Architectural and Engineering Assistant shall so act; $105,000.

Travel expenses.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $1,500.

CAPITOL BUILDINGS AND GROUNDS

Post, p. 1028.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding $300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed $150 for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; $543,990, of which $52,900 shall be immediately available.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 of the Revised Statutes, $177,500.

41 U. S. C. § 5.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, $24,700.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, $2,000.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services, including four female attendants in charge of ladies' retiring rooms at $1,500 each and one at $1,560, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, $558,620, together with

the unobligated balance on June 30, 1948, of the appropriation carried under this head in the Legislative Branch Appropriation Act, 1948. 61 Stat. 370.

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, $675,000, and so long as the position is held by the present incumbent the superintendent of the House Office Buildings shall be paid $500 per annum in addition to compensation otherwise payable under law. Compensation of superintendent.

Capitol Power Plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, $1,300,000.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments. 36 Stat. 531.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year 1949, and the amounts so reimbursed shall be covered into the Treasury. Reimbursement for heat, etc.

LIBRARY BUILDINGS AND GROUNDS

MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, $180,000.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays, at rates to be fixed by the Architect, $14,700.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, $50,000.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, and the purchase of office and library equipment, apparatus, and labor-saving devices, $20,000, to be expended under the direction of the Architect of the Capitol. Furniture.

BOTANIC GARDEN

Salaries: For personal services (including not exceeding $3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), $135,000; all under the direction of the Joint Committee on the Library. 42 Stat. 1488. 5 U. S. C. §§ 661-674.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers,

soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons, when required for use by employees in connection with their work; not to exceed $25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants, not to exceed $250; streetcar fares, not exceeding $25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials, and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motortrucks; maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, $20,000.

Distribution of nursery stock.

No part of the appropriations contained in this Act for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

LIBRARY OF CONGRESS

Salaries, Library proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including investigations of Library employees with regard to loyalty, and including special and temporary services and extra special services of regular employees (not exceeding $5,000) at rates to be fixed by the Librarian, $2,474,571, of which so much as may be necessary may be transferred to other agencies of the Government for the purpose of investigating the loyalty of Library employees, and for health service program as authorized by law (5 U. S. C. 150).

60 Stat. 903.

COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register; and other personal services, $675,000.

LEGISLATIVE REFERENCE SERVICE

Salaries and expenses: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, miscellaneous printing, supplies and materials, and including not to exceed $20,000 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, $475,000: *Provided*, That not more than $25,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

Digests of public general bills.

DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For the distribution of printed cards and other publications of the Library, including personal services, freight charges (not exceeding $500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed $30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, $400,400.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed $2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, $25,000, to continue available during the fiscal year 1950. 44 Stat. 1066.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed $700 for special and temporary services, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, $64,000.

INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed $25,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library by purchase, gift, bequest, or exchange, $300,000, to continue available during the fiscal year 1950.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses not to exceed $2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, $95,000, to continue available during the fiscal year 1950.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, $24,000.

BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, $974,000, including not exceeding $50,000 for personal services, not exceeding $200,000 for books in raised characters, and the balance remaining for sound-reproduction records and for the purchase, maintenance, 46 Stat. 1487.

and replacement of the Government-owned reproducers for sound-reproduction records for the blind and not exceeding $1,000 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of Library books, $381,500.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyrights, $39,500.

Printing catalogue cards: For the printing of catalogue cards and of miscellaneous publications relating to the distribution of catalogue cards, and for duplication of catalogue cards by methods other than printing, $374,000.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $40,000.

60 Stat. 843.
Post, p. 1008.

Photoduplicating.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, and for the purchase of photoduplications, $20,700.

LIBRARY BUILDINGS

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding $750) at rates to be fixed by the Librarian, $495,000.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

Incidental expenses.

For mail, delivery, including maintenance, operation, and repair of passenger motor vehicles, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards, and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings, $30,000.

LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $500.

Citizenship requirements, exemptions.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 202 of the Independent Offices Appropriation Act, 1949, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories

Ante, p. 193.

specified in such section 202 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of passenger motor vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed $3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not exceeding $1,000); adding and numbering machines, time stamps, and other machines of similar character; purchase of uniforms for guards; rubber boots, coats, and gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at $4,951, one cataloger at $4,537, two catalogers at $3,544 each, and one cataloger at $3,047); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $14,500,000; to which sum shall be charged the printing and binding authorized to be done for Congress, including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301–310) (not exceeding $450,000); the printing and binding of an edition of the Code of Federal Regulations and supplements thereto, as authorized by the Act of July 26, 1935, as

Salaries, etc.

Holidays with pay.

Machinery.

60 Stat. 843.
Post, p. 1008.
Congressional Record indexes.

Federal Register.

49 Stat. 500.

Code of Federal Regulations.

49 Stat. 503.
44 U. S. C., Supp. I, § 311 note.

amended (44 U. S. C. 311) (not exceeding $650,000); the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding $5,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding $7,000,000: *Provided*, That not less than $7,500,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1949: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $7,000,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Year-book of Agriculture).

Unexpended balance.

Year-book of Agriculture.
28 Stat. 612.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Payment for work ordered by departments, etc.

During the fiscal year 1949 any executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do; all sums received from sales of wastepaper, other waste material, and condemned property; and for losses or damage to Government property; shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office and be subject to requisition by the Public Printer.

Adjustments.

Credit of payments to working capital.

Employees detailed for service in executive branch.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

42 Stat. 1488.
5 U. S. C. §§ 661-674.

Salaries: For the Superintendent of Documents, assistant superintendent and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C. 40), $1,407,000.

43 Stat. 658.

General expenses: For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfare, soap, towels, disinfectant, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed $200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing,

including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, $700,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

Books for depository libraries.

GENERAL PROVISIONS

SEC. 102. Purchases may be made from the foregoing appropriations under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

28 Stat. 601.
44 U. S. C. § 1 *et seq.*
36 Stat. 531.

SEC. 103. In order to keep the expenditures for printing and binding for the fiscal year 1949 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Annual, etc., reports.

Original copies.

SEC. 104. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

Private vehicles.

SEC. 105. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions relating to positions and salaries thereof carried in House Resolutions 281 and 336 (Eighteth Congress) shall be the permanent law with respect thereto.

Rate of compensation and designation of positions.
46 Stat. 32.
2 U. S. C. § 60a; Supp. I, § 60a notes.

SEC. 106. No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds.

Capitol Police.
Standards required.

Detail for duty on Capitol Grounds.

SEC. 107. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 108. This Act may be cited as the "Legislative Branch Appropriation Act, 1949".

Approved June 14, 1948.

[CHAPTER 468]

JOINT RESOLUTION

June 14, 1948
[H. J. Res. 296]
[Public Law 642]

To maintain the status quo in respect of certain employment taxes and social-security benefits pending action by Congress on extended social-security coverage.

Employment taxes and social-security benefits.
53 Stat. 1386, 1396.
26 U. S. C. §§ 1426 (d), 1607 (i).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1426 (d) and section 1607 (i) of the Internal Revenue Code are amended by inserting before the period at the end of each the following: ", but such term does not include (1) any individual who, under the usual common-law rules applicable in determining the employer-employee relationship, has the status of an independent contractor or (2) any individual (except an officer of a corporation) who is not an employee under such common-law rules".

(b) The amendments made by subsection (a) shall have the same effect as if included in the Internal Revenue Code on February 10, 1939, the date of its enactment.

49 Stat. 647.
42 U. S. C. § 1301 (a) (6).

SEC. 2. (a) Section 1101 (a) (6) of the Social Security Act is amended by inserting before the period at the end thereof the following: ", but such term does not include (1) any individual who, under the usual common-law rules applicable in determining the employer-employee relationship, has the status of an independent contractor or (2) any individual (except an officer of a corporation) who is not an employee under such common-law rules".

49 Stat. 620.
42 U. S. C. §§ 301-1336; Supp. I, § 303 *et seq.*
Ante, p. 195.

(b) The amendment made by subsection (a) shall have the same effect as if included in the Social Security Act on August 14, 1935, the date of its enactment, but shall not have the effect of voiding any (1) wage credits reported to the Bureau of Internal Revenue with respect to services performed prior to the enactment of this Act or (2) wage credits with respect to services performed prior to the close of the first calendar quarter which begins after the date of the enactment of this Act in the case of individuals who have attained age sixty-five or who have died, prior to the close of such quarter, and with respect to whom prior to the date of enactment of this Act wage credits were established which would not have been established had the amendment made by subsection (a) been in effect on and after August 14, 1935.

49 Stat. 622.
42 U. S. C. §§ 401-410; Supp. I, § 410 note.
Ante, p. 195.

(c) (1) The Federal Security Administrator is directed to estimate and report to the Congress at the earliest practicable date (A) the total amount paid as benefits under title II of the Social Security Act which would not have been paid had the amendment made by subsection (a) been in effect on and after August 14, 1935, and (B) the total amount of such payments which the Administrator estimates will hereafter be paid by virtue of the provisions of subsection (b).

Appropriation authorized.

(2) There is hereby authorized to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund a sum equal to the

aggregate of the amounts reported to the Congress under paragraph (1).

SEC. 3. (a) Section 3 (a) of the Social Security Act, as amended, is amended to read as follows: 49 Stat. 621. 42 U. S. C. § 303 (a); Supp. I, § 303 note.

Old-age assistance.

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1948, (1) an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $50—

"(A) three-fourths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $20 multiplied by the total number of such individuals who received old-age assistance for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose."

(b) Section 403 (a) of such Act, as amended, is amended to read as follows: 49 Stat. 628. 42 U. S. C. § 603 (a).

Aid to dependent children.

"SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1948, (1) an amount, which shall be used exclusively as aid to dependent children equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under such plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $27, or if there is more than one dependent child in the same home, as exceeds $27 with respect to one such dependent child and $18 with respect to each of the other dependent children—

"(A) three-fourths of such expenditures, not counting so much of any expenditures with respect to any month as exceeds the product of $12 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose."

(c) Section 1003 (a) of such Act, as amended, is amended to read as follows: 49 Stat. 646. 42 U. S. C. § 1203 (a).

Aid to blind.

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1948, (1) an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan with respect to each needy individual who is blind and

is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $50—

"(A) three-fourths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $20 multiplied by the total number of such individuals who received aid to the blind for such month, plus

"(B) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose."

Effective date.

(d) The amendments made by this section shall become effective on October 1, 1948.

JOSEPH W. MARTIN, Jr.
Speaker of the House of Representatives.

A H VANDENBERG
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 14, 1948.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the joint resolution (H. J. Res. 296) entitled "Joint Resolution to maintain the status quo in respect of certain employment taxes and social-security benefits pending action by Congress on extended social-security coverage", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said joint resolution pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS
Clerk.

Certificate of origin.

I certify that this Joint Resolution originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
June 14 (legislative day, June 1), 1948.

Certificate of Senate.

The Senate having proceeded to reconsider the joint resolution (H. J. Res. 296) entitled "Joint resolution to maintain the status quo in respect of certain employment taxes and social-security benefits pending action by Congress on extended social-security coverage", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said joint resolution pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER
Secretary.

[CHAPTER 469]

JOINT RESOLUTION

Providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.

June 14, 1948
[S. J. Res. 98]
[Public Law 643]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

World Health Organization.
Acceptance of membership for U. S.

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and may designate not to exceed one alternate to attend sessions of the Executive Board. Such representative must be a graduate of a recognized medical school and have spent not less than three years in active practice as a physician or surgeon. Such representative shall be entitled to receive compensation at a rate not to exceed $12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed $10,000 per annum for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation.

Designation of representatives, etc.

Loyalty and security investigations.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

Appropriation authorized.
Post, p. 1047.

(a) such sums, not to exceed $1,920,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with Article 56 of the Constitution of the Organization; and

(b) such additional sums, not to exceed $83,000 for the fiscal year beginning July 1, 1947, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative and alternate provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost of living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and

42 Stat. 1488.
5 U. S. C. §§ 661–674.
60 Stat. 810.
5 U. S. C. § 55a.

40 Stat. 1270.
41 U. S. C. § 5.

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

60 Stat. 714.
22 U. S. C. § 287r.

Withdrawal from Organization.

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that, in the absence of any provision in the World Health Organization Constitution for withdrawal from the Organization, the United States reserves its right to withdraw from the Organization on a one-year notice: *Provided, however*, That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

Financial obligations of U. S.

SEC. 5. In adopting this joint resolution, the Congress does so with the understanding that nothing in the Constitution of the World Health Organization in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said Constitution.

Approved June 14, 1948.

[CHAPTER 470]

AN ACT

June 15, 1948
[S. 1987]
[Public Law 644]

To authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws.

Preston Bench project, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior through the Bureau of Reclamation is hereby authorized to construct, maintain, and operate, pursuant to the Federal reclamation laws, the Preston Bench project, Idaho, substantially in accordance with the report of the regional director of the Bureau of Reclamation, region IV, dated September 15, 1947, as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That the total cost of the project shall be reimbursable under the Federal reclamation laws within repayment periods fixed by the Secretary of the Interior at not to exceed seventy-four years.

Appropriation authorized.
Post, p. 1040.

SEC. 2. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this Act.

Approved June 15, 1948.

[CHAPTER 471]

AN ACT

June 15, 1948
[S. 2137]
[Public Law 645]

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Golden Nematode Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

Cooperation with other agencies.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

Inspection, etc., of potatoes and tomatoes.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

Assistance of cooperating agencies.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

Restrictions on planting; destruction.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

Payments by Federal Government.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

Expenses.
Post, p. 1037.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

Short title.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

Approved June 15, 1948.

[CHAPTER 472]

AN ACT

June 16, 1948
[H. R. 6365]
[Public Law 646]

Making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes.

The Supplemental Federal Security Agency Appropriation Act, 1949.
Ante, p. 396; *post*, p. 1032.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise

appropriated, for the Federal Security Agency for the fiscal year ending June 30, 1949, namely:

TITLE I—FEDERAL SECURITY AGENCY

PUBLIC HEALTH SERVICE

Assistance to States, general: For an additional amount for "Assistance to States, general", including the objects and authorities applicable to funds appropriated under this head in the Federal Security Agency Appropriation Act, 1949, and the purchase of fifty additional passenger motor vehicles, $1,000,000.

Ante, p. 400.

Mental health activities: For expenses necessary for carrying out the provisions of sections 301, 302, 311, 312, 314 (c), and 321 of the Public Health Service Act, as amended, with respect to mental diseases; sections 322, 324, 326, 504, and 710 of such Act with respect to treatment at the Public Health Service hospitals, Fort Worth, Texas, and Lexington, Kentucky, of persons suffering from psychiatric disorders; and sections 303, 341, 343, and 344 of such Act, and Executive Order 9079, dated February 26, 1942, including the objects specified in the preamble paragraph under the heading "Public Health Service" in the Federal Security Agency Appropriation Act, 1949; minor repairs to and maintenance of buildings; purchase of not to exceed three passenger motor vehicles, of which two shall be for replacement only; court costs and other expenses incident to proceedings taken for commitment of mentally incompetent persons to hospitals; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in a hospital; firearms and ammunition; reimbursement to the working-capital fund for articles or services furnished by the industrial activities; expenses incurred in pursuing, identifying, and returning escaped prisoners, including rewards for their capture; transportation and subsistence allowance, within continental United States, of any narcotic addict voluntarily admitted and discharged as cured; reimbursement to employees, subject to regulations of the Federal Security Administrator, for the cost of repair or replacement of personal belongings damaged or destroyed by patients while such employees were engaged in the performance of their official duties; tobacco for patients; $9,028,000, of which $2,400,000 shall be for the operation (exclusive of research and training) of the Public Health Service hospitals, Fort Worth, Texas, and Lexington, Kentucky; and, in addition to the amount appropriated herein, the Surgeon General is authorized, upon the recommendations of the National Advisory Mental Health Council, to make research and training grants for periods beyond the fiscal year 1949, and such grants (not exceeding a total of $2,300,000 for such periods) shall, if approved during the fiscal year 1949, constitute a contractual obligation of the Federal Government: *Provided*, That the Surgeon General is authorized to transfer to the appropriation "Commissioned officers, pay, and so forth", such amounts as may be necessary for pay and allowances of regular corps officers assigned to the program.

58 Stat. 691-714; 60 Stat. 423, 1049. 42 U. S. C. §§ 241-244, 246 (c), 248, 249 and note, 251, 253, 222, 242a, 257, 259, 260; Supp. I, § 249 note; 33 U. S. C. § 763c. *Post*, pp. 467, 468, 601, 1017, 1018. 24 U. S. C. note prec. § 191. *Ante*, p. 399.

Research and training grants.

Transfer of funds. *Ante*, p. 402.

Disease and sanitation investigations and control, Territory of Alaska: To enable the Surgeon General to conduct, in the Service, and to cooperate with and assist the Territory of Alaska in the conduct of, activities necessary in the investigation, prevention, treatment, and control of diseases, and the establishment and maintenance of health and sanitation services pursuant to and for the purposes specified in sections 301, 311, 314 (without regard to the provisions of subsections (d), (e), (g), and (i) and the limitations set forth in subsection (c) of such section), 361, 363, and 704 of the Public Health Service Act, as amended, including the hire, operation, and maintenance of aircraft

58 Stat. 691, 693, 703, 704, 711. 42 U. S. C. §§ 241, 243, 246, 264, 266, 201 note; Supp. I, § 266 note. *Post*, pp. 467, 468, 601, 1017.

and the objects specified in the paragraph immediately following the captain "Public Health Service" in the Federal Security Agency Appropriation Act, 1949, $1,115,000, which amount shall be in addition to amounts appropriated elsewhere for the same purposes and shall be available for transfer to the appropriation "Commissioned officers, pay, and so forth," in such amounts as the Surgeon General may determine.

Ante, p. 399.

Ante, p. 402.

BUREAU OF EMPLOYMENT SECURITY (SOCIAL SECURITY ADMINISTRATION)

Grants to States for unemployment compensation and employment service administration: For grants to the several States (including Alaska and Hawaii) in accordance with the provisions of the Act of June 6, 1933, as amended (29 U. S. C. 49–49l), for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944, and for grants to the States as authorized in title III of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. III), including, upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, $130,000,000, of which not to exceed $675,000 shall be available to the Federal Security Administrator for necessary expenses in connection with the operation of employment office facilities and services in the District of Columbia and for use in carrying into effect section 602 of the Servicemen's Readjustment Act of 1944 in Puerto Rico: *Provided*, That no State shall be required to make any appropriation as provided in section 5 (a) of said Act of June 6, 1933, prior to July 1, 1950: *Provided further*, That, notwithstanding any provision to the contrary in section 5 (a) or section 6 of the Act of June 6, 1933, or in section 302 (a) of the Social Security Act, as amended, the Federal Security Administrator shall from time to time certify to the Secretary of the Treasury for payment to each State found to be in compliance with the requirements of the Act of June 6, 1933, and with the provisions of section 303 of the Social Security Act, as amended, such amounts as he determines to be necessary for the proper and efficient administration of its unemployment compensation law and of its public employment offices: *Provided further*, That such amounts as may be agreed upon by the Federal Security Agency and the Post Office Department shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the administration of unemployment compensation systems and employment services by States receiving grants herefrom.

48 Stat. 113.
29 U. S. C., Supp. I, § 49 note.
58 Stat. 294.
38 U. S. C. § 695b.
49 Stat. 626.
42 U. S. C. §§ 501–503.

58 Stat. 294.
38 U. S. C. § 695b.

48 Stat. 114, 115.
29 U. S. C. §§ 49d (a), 49e.

49 Stat. 626.
42 U. S. C. § 502 (a).

49 Stat. 626.
42 U. S. C. § 503.

Postage.

In carrying out the provisions of said Act of June 6, 1933, the provisions of section 303 (a) (1) of the Social Security Act, as amended, relating to the establishment and maintenance of personnel standards on a merit basis, shall apply.

49 Stat. 626.
42 U. S. C. § 503 (a) (1).

Reconversion unemployment benefits for seamen: For payments to seamen as authorized by title XIII of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. XIII), $750,000.

Post, p. 1032.

60 Stat. 982.
42 U. S. C. §§ 1331–1336.

Salaries and expenses: For expenses necessary for the general administration of the employment service and unemployment compensation programs, including personal services in the District of Columbia, $5,754,000, of which $2,265,000 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944.

Post, pp. 449, 1032.

58 Stat. 293.
38 U. S. C. §§ 695–695f; Supp. I, § 695.

Grants to States, fiscal year 1950: For making, after May 31, 1949, payments to States under title III of the Social Security Act, as amended, and under the Act of June 6, 1933, as amended, for the first quarter of the fiscal year 1950, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under such title and under such Act of June 6, 1933, to be charged to the appropriation therefor for the fiscal year 1950.

49 Stat. 626.
42 U. S. C. §§ 501–503.
48 Stat. 113.
29 U. S. C. §§ 49–49l; Supp. I, § 49 note.

Transfer of U. S. Employment Service.

58 Stat. 293.
38 U. S. C. §§ 695–695f; Supp. I, § 695.

Effective July 1, 1948, the United States Employment Service, including its functions under title IV of the Servicemen's Readjustment Act of 1944, is transferred to the Federal Security Agency, and on and after such date the functions of the Secretary of Labor with respect to the United States Employment Service are transferred to the Federal Security Administrator and shall be performed by him or, under his direction and control, by such officers and employees of the Federal Security Agency as he may designate. There are transferred to the Federal Security Agency, for use in connection with the functions transferred by the provisions of this paragraph, the personnel, property, and records of the Department of Labor related to the United States Employment Service, and the balances of such prior appropriations, allocations, and other funds available to the United States Employment Service as the Director of the Bureau of the Budget may determine. The provisions of section 9 of the Reorganization Act of 1945 (Public Law 263, Seventy-ninth Congress) shall apply to the transfer effected by this paragraph in like manner as if such transfer were a reorganization of the agencies and functions concerned under the provisions of that Act.

59 Stat. 617.
5 U. S. C. § 133y-7.

SOCIAL SECURITY ADMINISTRATION

Grants to States for public assistance: For grants to States for old-age assistance, aid to dependent children, and aid to the blind as authorized in titles I, IV, and X of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. I, IV, and X), $797,000,000, of which such amount as may be necessary shall be available for grants for any period in the fiscal year 1948 subsequent to March 31, 1948.

49 Stat. 620, 627, 645.
42 U. S. C. §§ 301–306, 601–606, 1201–1206; Supp. I, § 303 note.
Ante, p. 439.

Salaries and expenses, Bureau of Public Assistance: For expenses necessary for the Bureau of Public Assistance, including personal services in the District of Columbia and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $1,350,000.

60 Stat. 810.

Salaries and expenses, Bureau of Old-Age and Survivors Insurance: For necessary expenses, including personal services in the District of Columbia and elsewhere; purchase of one passenger motor vehicle for replacement only; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not more than $36,122,000 may be expended from the Federal old-age and survivors insurance trust fund, together with $277,000 from the general fund of the Treasury (for carrying out title II of the Act of August 10, 1946 (42 U. S. C. 410)), the two amounts to be accounted for as one fund: *Provided*, That of the amount herein made available for expenditure, advances in not to exceed the amounts indicated shall be made to appropriations of the Federal Security Agency as follows: $297,500 to "Salaries, Office of the General Counsel" for legal services; and $300,000 to "Salaries, Office of the Administrator", $160,000 to "Salaries and expenses, Division of Service Operations", and $67,000 to "Salaries and expenses, Office of the Commissioner", for expenses properly allocable to activities relating to the old-age and survivors insurance program: *Provided further*, That of the amount herein made available for expenditure, not more than $95,000 may be expended without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a), for alterations, repairs, and improvements to the Candler Building in Baltimore, Maryland, and to the Sterling Annex of the Elks Building in Wilkes-Barre, Pennsylvania, of which amount not more than $15,000 may be spent for alterations, repairs, and equipment for an employee cafeteria in the Candler Building, which amount, except such part as may be necessary for incidental expenses of the Bureau of Old-Age and Survivors Insurance, may be transferred to the Public Buildings Administration, Federal Works Agency, for

60 Stat. 810.

60 Stat. 979.
42 U. S. C., Supp. I, § 410 note.
Advance of funds.

Post, pp. 448, 447.

47 Stat. 412.
Repair, etc., of certain buildings.

such purposes: *Provided further*, That any sums received by the Administrator as payment for services performed for any department or agency of the Government by persons whose salaries are paid from the amount made available under this paragraph shall be deposited to the credit of this appropriation for the fiscal year in which such sums are received, and shall be available for the same purposes.

Reimbursement to Federal old-age and survivors insurance trust fund: For reimbursement to the Federal old-age and survivors insurance trust fund for benefits paid during the fiscal year 1947 to the survivors of veterans of World War II eligible for benefits as provided under section 210 of the Social Security Act, as amended (42 U. S. C. 410), $2,974,000.

49 Stat. 625.
42 U. S. C., Supp. I, § 410 note.

Salaries and expenses, Children's Bureau: For necessary expenses in carrying out the Act of April 9, 1912, as amended (29 U. S. C. 18a), and title V of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), and the emergency maternity and infant care program, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and purchase of reports and material for the publications of the Children's Bureau and of reprints for distribution; $1,455,000: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instruction, order, or regulation relating to the care of obstetrical cases which discriminate between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved.

37 Stat. 79.
49 Stat. 629.
42 U. S. C. §§ 701-705, 711-715, 721, 731; Supp. I, §§ 703a, 704a note; 29 U. S. C. § 45b.
60 Stat. 810.

Care of obstetrical cases.

Salaries and expenses, Conference on Children and Youth: For expenses necessary in preparation for a 1950 Conference on Children and Youth, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase of reports and material for reports; and expenses of cooperating officials and consultants in attending meetings; $75,000.

60 Stat. 810.

Grants to States for maternal and child welfare: For grants to States for maternal and child-health services, services for crippled children, and child-welfare services as authorized in title V, parts 1, 2, and 3, of the Social Security Act, as amended (42 U. S. C., ch. 7, subch. V), $22,000,000: *Provided*, That any allotment to a State pursuant to section 502 (b) or 512 (b) of such Act shall not be included in computing for the purposes of subsections (a) and (b) of sections 504 and 514 of such Act an amount expended or estimated to be expended by the State.

49 Stat. 629.
42 U. S. C. §§ 701-705, 711-715, 721, 731; Supp. I, §§ 703a, 704a note; 29 U. S. C. § 45b.
49 Stat. 629, 631.
42 U. S. C. §§ 702 (b), 712 (b).

Salaries and expenses, Office of the Commissioner: For expenses necessary for the Office of the Commissioner for Social Security, including personal services in the District of Columbia and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $235,000.

Ante, p. 446; *post*, p. 449.

60 Stat. 810.

Grants to States, fiscal year 1950: For making, after May 31, 1949, payments to States under titles I, IV, V, and X, respectively, of the Social Security Act, as amended, for the first quarter of the fiscal year 1950, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the appropriation therefor for the fiscal year 1950.

49 Stat. 620, 627, 629, 645.
42 U. S. C. §§ 301-306, 601-606, 701-705, 711-715, 721, 731, 1201-1206.
Ante, p. 439.

In the administration of titles I, IV, V, and X, respectively, of the Social Security Act, as amended, payments to a State under any

of such titles for any quarter in the period beginning April 1, 1948, and ending June 30, 1949, may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which such plan was submitted for approval.

OFFICE OF THE ADMINISTRATOR

Ante, p. 446; *post*, p. 449.

Salaries, Office of the Administrator: Salaries, Office of the Administrator, including personal services in the District of Columbia and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $1,694,000.

60 Stat. 810.

Ante, p. 446; *post*, p. 449.

Salaries and expenses, Division of Service Operations: For expenses necessary for the Office of the Administrator, including personal services in the District of Columbia for the Division of Service Operations and examination of estimates for appropriations in the field; $818,700: *Provided*, That the Administrator may reimburse, in advance of obligations incurred, this appropriation from appropriations of constituent organizations of the Federal Security Agency in such sums as may be necessary to finance the purchase of materials and equipment required in performance of work for such constituent organizations.

Ante, pp. 397, 446.

Salaries, Office of the General Counsel: Salaries, Office of the General Counsel, including personal services in the District of Columbia, $304,000.

Civilian war benefits: For payment of benefits, to enable the Federal Security Administrator to continue the civilian war benefits program as provided for under this head in title II of the Labor-Federal Security Appropriation Act, 1947, $85,000.

60 Stat. 696.

Terminal leave: On request of the Federal Security Administrator, the Secretary of the Treasury is authorized to transfer such amounts as may be necessary, but not to exceed a total of $300,000, from unexpended balances of appropriations for the Federal Security Agency, fiscal year 1948, to an appropriation account to be established for the payment of annual leave of employees separated from the service as a result of transfers or consolidation of functions, or reductions of appropriations provided herein, to remain available until December 31, 1948.

GENERAL PROVISIONS

Travel expenses.

SEC. 102. Appropriations under this title available for salaries and expenses shall be available for travel expenses and, when specifically authorized by the Federal Security Administrator, for expenses of attendance at meetings concerned with the function or activity for which any such appropriation is made.

SEC. 103. Appropriations under this title available for salaries and expenses shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

60 Stat. 843.
Post, p. 1008.

Exchange of books, etc.

SEC. 104. Appropriations under this title available for salaries and expenses shall be available for exchange of books and for payment in advance when authorized by the Federal Security Administrator for dues or fees for library membership in organizations whose publications are available to members only or to members at a price lower than to the general public.

SEC. 105. Appropriations under this title available for salaries and expenses shall be available for health service programs as authorized by law (5 U. S. C. 150), and such amounts as may be necessary may be transferred to the appropriations of the organizational units operating such programs.

60 Stat. 903.

Printing and binding.

SEC. 106. Appropriations under this title available for salaries and expenses shall be available for printing and binding, including the purchase of reprints.

Transfer of funds.

SEC. 107. The Federal Security Administrator, if he finds it necessary for the more practical and efficient operation of the Agency, shall have the authority to transfer funds between the appropriations "Salaries, Office of the Administrator", "Salaries and expenses, Division of Service Operations", "Salaries and expenses, Office of the Commissioner", and "Salaries and expenses, Bureau of Employment Security", but no appropriation shall be either increased or decreased more than 5 per centum by such transfers: *Provided*, That no such transfers shall be used for the purpose of creating new functions or for the purpose of effectuating the transfer of functions between appropriations.

Ante, pp. 448, 447, 445.

Withholding of moneys from State agencies.

SEC. 108. None of the funds appropriated by this title to the Bureau of Employment Security or to the Social Security Administration for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 109. No part of any appropriation contained in this title shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this title shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

TITLE II—REDUCTIONS IN APPROPRIATIONS

SEC. 201. Amounts made available in the Department of Labor Appropriation Act, 1949, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

Ante, p. 394.

Office of the Secretary, salaries and expenses, $22,000;

Ante, p. 395.

Salaries and expenses, Office of the Solicitor, $28,550.

Short title.

SEC. 202. This Act may be cited as "The Supplemental Federal Security Agency Appropriation Act, 1949".

JOSEPH W. MARTIN JR
Speaker of the House of Representatives.

A H VANDENBERG
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 16, 1948.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 6355) entitled "An Act making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest: JOHN ANDREWS
Clerk.

Certificate of origin.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
June 16 (legislative day, June 15), 1948.

Certificate of Senate.

The Senate having proceeded to reconsider the bill (H. R. 6355) entitled "An Act making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest: CARL A. LOEFFLER
Secretary.

[CHAPTER 473]

AN ACT

June 16, 1948
[H. R. 6407]
[Public Law 647]

To encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

International Aviation Facilities Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "International Aviation Facilities Act".

DEFINITIONS

SEC. 2. For the purposes of this Act:

"Air Coordinating Committee."
49 U. S. C. § 421 note.

(1) The term "Air Coordinating Committee" means the committee established by Executive Order Numbered 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or

equivalent powers whether created by Executive order or legislative enactment.

"Airport property."

(2) The term "airport property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies.

"Airway property."

(3) The term "airway property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airway communications, and meteorological facilities.

"Foreign territory."

(4) The term "foreign territory" means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

SEC. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the objectives of the International Civil Aviation Organization, the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, to acquire, establish, and construct airport property and airway property in foreign territory: *Provided, however*, That, except in the case of airport property transferred under section 8, no airport (as defined in section 1 of the Civil Aeronautics Act of 1938, as amended) may be acquired, established, or constructed under authority of this section unless funds for such purpose have been specifically appropriated by the Congress.

Post, p. 462.

52 Stat. 977.
49 U. S. C. § 401.
Post, p. 493.

TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

SEC. 4. Subject to the concurrence of the Secretary of State, the Administrator and the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States,

funds from any foreign government or from any international organization as payment for any facilities supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this Act or the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

52 Stat. 973.
49 U. S. C. § 401 *et seq.*
Post, pp. 470, 493, 1093, 1216.

TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 6. With the unanimous approval of the Air Coordinating Committee, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this Act, to the foreign government involved or to any international organization. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to make such transfer upon such terms and conditions as he deems proper, including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE REPUBLIC OF PANAMA

SEC. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communications, and air traffic control facilities and services in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

Transfer of property.

(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this Act.

(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this Act.

TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISHMENT TO THE ADMINISTRATOR OR THE WEATHER BUREAU

SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefor, airport property and

airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this Act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

Transfer of meteorological facilities.

(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this Act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this Act shall be considered as property transferred pursuant to this section.

3 CFR, 1946 Supp., pp. 115, 175.

AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

Waiver of rights.

POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improvement, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, reengineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the

powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed twenty years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this Act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make just and reasonable charges for aeronautical services (including but not limited to landing fees and fees for the use of communication services); and (6) to acquire, by purchase or otherwise, real or personal property, or interests therein, which he may consider necessary for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdiction of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 or to imprisonment not exceeding six months, or to both such fine and imprisonment.

Penalty.

(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

Crediting of funds.

(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

(d) The provisions of section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not apply to any of the leases or contracts made by the Administrator or the Chief of the Weather Bureau pursuant to the provisions of this Act.

UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized and directed, in carrying out the provisions of this Act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated. Any agency of the United States Government receiving any such request is hereby authorized to furnish such facilities or to perform such services.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved June 16, 1948.

[CHAPTER 474]

JOINT RESOLUTION

June 16, 1948
[H. J. Res. 411]
[Public Law 648]

To authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1948, a special 3-cent postage stamp, of such design as he shall prescribe, in commemoration of William Allen White, whose literary genius made such a great contribution in the field of American literature.

William Allen White.
Commemorative stamp.

Approved June 16, 1948.

[CHAPTER 475]

AN ACT

June 16, 1948
[S. 1025]
[Public Law 649]

To provide for the construction of shore protective works at the town of Nome, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following work of improvement is hereby adopted and authorized, to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, the cost thereof to be paid from appropriations hereafter made for improvement of rivers and harbors:

Nome, Alaska.
Shore protective works.
62 Stat., Pt. 2.

Nome Harbor, Alaska, in accordance with the plan presented in the report of the Chief of Engineers, dated March 8, 1948, and subject to the conditions set forth in said report.

Approved June 16, 1948.

[CHAPTER 476]

AN ACT

June 16, 1948
[S. 1037]
[Public Law 650]

To authorize the revision of the boundaries of the Caribou National Forest in the State of Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Caribou National Forest are hereby extended to include the following described lands and, subject to any valid existing claim or entry, all lands of the United States within the areas hereafter described are hereby added to and made part of the Caribou National Forest, State of Idaho, to be hereafter administered under the laws and regulations relating to the national forests, and the provisions of the Act approved March 20, 1922 (42 Stat. 465), as amended, are hereby extended and made applicable to all other lands within said described areas:

Caribou National Forest, Idaho.

16 U. S. C. §§ 485, 486.

BOISE MERIDIAN

Township 10 south, range 35 east, section 34, south half south half; section 35, south half south half; section 36, south half south half;

Township 10 south, range 36 east, section 31, lot 2, southeast quarter southwest quarter, and south half southeast quarter; section 32, south half south half;

Township 11 south, range 35 east, section 1, lot 4; section 2, lots 2, 4, 5, 6, 7, 8, 9; section 3, lots 2, 3, 4, 5, 6, 7, 8, 9, 10, southeast quarter northwest quarter, south half northeast quarter, east half southwest quarter, and southeast quarter; section 9, lot 1, southeast quarter northeast quarter, and east half southeast quarter; section 10; section 15; section 19, south half northeast quarter, and north half southeast quarter; section 20, lots 2, 3, southeast quarter northwest quarter,

south half northeast quarter, northeast quarter southwest quarter, and southeast quarter; section 21; section 22; section 23, west half; section 27; section 28, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 29, east half; section 32, northeast quarter, and north half southeast quarter; section 33, north half, and north half south half; section 34, north half, southwest quarter, and north half southeast quarter;

Township 11 south, range 36 east, section 5, lots 1, 2, 3, 4, 5, 6, 7, southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, and west half southeast quarter; section 8, lots 1, 2, 3, 4, west half northeast quarter, east half northwest quarter, west half southeast quarter, and east half southwest quarter; section 17, east half, and east half northwest quarter; section 20, east half; section 21, west half; section 28, west half; section 29, east half; section 32, east half; and section 33;

Township 12 south, range 35 east, section 1, southwest quarter; section 2, south half; section 3, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 11, lots 1, 2, 3, 4, north half northeast quarter, east half northwest quarter, and east half southwest quarter; section 12, north half northwest quarter; section 14, north half northwest quarter; section 15, northeast quarter, north half southeast quarter, and southwest quarter southeast quarter; section 21, east half northeast quarter, and east half southeast quarter; section 22, north half northwest quarter, southwest quarter northwest quarter, and west half southwest quarter; section 28, east half northwest quarter, east half southwest quarter, east half northeast quarter, and northwest quarter southeast quarter; section 33, east half northwest quarter, and east half southwest quarter;

Township 12 south, range 36 east, section 3, lots 1, 2, 3, 4, 5, 6, 7, southwest quarter northeast quarter, west half southeast quarter, south half northwest quarter, and southwest quarter; section 4, lots 1, 2, 3, 4, south half northeast quarter, and southeast quarter; section 9; section 10, lots 1, 2, 3, 4, west half northeast quarter, west half southeast quarter, and west half; section 15; section 16, east half; section 21, lots 1 and 2, northeast quarter, north half southeast quarter; section 22; section 25; section 26, northeast quarter; section 28, east half; section 33, northeast quarter; section 34, southwest quarter; and section 36;

Township 12 south, range 37 east, section 23; section 24; section 25, east half northeast quarter, and northwest quarter northwest quarter; section 26; section 30, lots 1, 2, 3, 4, 5, 6, 7, 8, east half northwest quarter, northeast quarter, and southeast quarter; section 32, lots 1, 2, 3, 4, 5, north half southeast quarter, and northeast quarter southwest quarter; section 33, lots 1, 2, 3, 4, north half southwest quarter, and north half southeast quarter; section 34, lots 1, 2, 3, 4, north half southwest quarter, and north half southeast quarter;

Township 12 south, range 38 east, section 30, lots 1, 2, 3, 4, east half northwest quarter, and east half southwest quarter; and section 31, lots 1, 2, 3, 4, east half northwest quarter, and east half southwest quarter;

Township 13 south, range 35 east, section 4, lot 3, southeast quarter northwest quarter, east half southwest quarter, and west half southeast quarter; section 9, east half northwest quarter, west half northeast quarter, east half southwest quarter, and southeast quarter; section 13, southwest quarter southwest quarter; section 14, south half northeast quarter, southeast quarter northwest quarter, and south half; section 15, south half; section 16, east half northwest quarter, east half southwest quarter, and east half; and section 24, southeast quarter; and section 25, northeast quarter;

Township 13 south, range 36 east, section 1, lots 1, 2, south half northeast quarter, and southeast quarter; section 3, lots 3, 4, 7, south half northwest quarter, southwest quarter, and southwest quarter southeast quarter; section 10, lots 1, 2, 3, 4, and west half northeast quarter; section 12, east half; section 13, north half northeast quarter; section 15, lots 1, 2, 3, 4, east half northwest quarter, and west half northeast quarter; section 21, southeast quarter; section 22, lots 1, 2, and west half northeast quarter; section 28, northeast quarter, and west half southeast quarter; section 29, south half; section 30, lots 3, 4, east half southwest quarter, and southeast quarter; section 32, north half northeast quarter, and southeast quarter northeast quarter; and section 33, northwest quarter, and west half northeast quarter;

Township 13 south, range 37 east, section 7, lots 5, 6, 7, 8, east half southwest quarter, and southeast quarter; section 18, lots 1, 2, east half northwest quarter, and east half; section 19, east half northeast quarter; section 20, southwest quarter southwest quarter; section 29, west half northwest quarter, and west half southwest quarter; section 32, north half, north half southwest quarter, and north half southeast quarter; section 33, south half southwest quarter;

Township 13 south, range 38 east, section 6, lots 1, 2, 3, 4, 5, 6, 7, southeast quarter northwest quarter, south half northeast quarter, east half southwest quarter, and southeast quarter; section 7, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 18, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 19, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 30, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; and section 32;

Township 14 south, range 36 east, section 11, west half northeast quarter, and west half southeast quarter; section 12, north half; section 14, west half, west half northeast quarter, and west half southeast quarter; section 26, west half southwest quarter, and southwest quarter northwest quarter; section 35, east half;

Township 14 south, range 37 east, section 4, lots 3, 4; section 9, east half; section 10, west half; section 14, west half northwest quarter, and west half southwest quarter; section 15; section 16, northeast quarter, north half southeast quarter, and southeast quarter southeast quarter; section 20, west half, west half northeast quarter, southeast quarter northeast quarter, and southeast quarter; section 21, south half, and east half northeast quarter; section 22, northwest quarter, and north half northeast quarter; section 26, south half, south half northwest quarter, and south half northeast quarter; section 34; and section 35.

Township 14 south, range 38 east, section 5; section 8; section 17; section 20; section 28, south half; section 29; section 32; and section 33;

Township 15 south, range 36 east, section 2, lots 1, 2, south half northeast quarter, and southeast quarter; section 11, east half; section 14, east half; section 23, east half; section 24, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 25, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 26, east half; section 35, east half; and section 36;

Township 15 south, range 37 east, section 3, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 9; section 10; section 14; section 15; section 16; section 21; section 22; section 23; section 25, west half, west half northeast quarter, and west half southeast quarter; section 26; section 27; and section 35;

Township 15 south, range 38 east, section 4, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 5, lots 1, 2, 3, 4, south half northeast quarter, south half northwest

quarter, and south half; section 8; section 9; section 16; section 17; section 18, east half southeast quarter; section 19, east half northeast quarter, east half southeast quarter, and southwest quarter southeast quarter; section 20, north half, north half southwest quarter, and north half southeast quarter; and section 21, north half;

Township 16 south, range 36 east, section 2, lots 1, 2, and southeast quarter; section 12; section 13; section 24, east half; and section 25, east half;

Township 16 south, range 37 east, section 2; section 11; section 14; section 15, south half northeast quarter, southeast quarter northwest quarter, southeast quarter, and east half southwest quarter; section 22, east half, east half northwest quarter, and east half southwest quarter; section 23; section 26, lots 1, 2, 3, 4, north half, north half southwest quarter, and north half southeast quarter; and section 27, lots 1, 2, 3, northeast quarter, east half northwest quarter, northeast quarter southwest quarter, north half southeast quarter.

Approved June 16, 1948.

[CHAPTER 477]

AN ACT

June 16, 1948
[S. 1249]
[Public Law 651]

Authorizing additional research and investigation into problems and methods relating to the eradication of cattle grubs, and for other purposes.

Eradication of cattle grubs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to protect, promote, and conserve livestock and livestock products and to minimize losses, the Secretary of Agriculture, either independently or in cooperation with States or subdivisions thereof, farmers' associations, and other organizations and individuals, it is authorized to increase and intensify research and investigations into problems and methods relating to the eradication of cattle grubs and to undertake measures to eradicate these parasites.

"State."

SEC. 2. As used in this Act, the term "State" includes the District of Columbia and the Territories and possessions of the United States.

Appropriation authorized.

There is hereby authorized to be appropriated such sums as may be necessary to carry out this Act. Funds appropriated pursuant to this Act shall be expended in accordance with procedures prescribed by the Secretary.

Approved June 16, 1948.

[CHAPTER 478]

AN ACT

June 16, 1948
[S. 1302]
[Public Law 652]

To aid the associations, groups, organizations, and institutions encouraging participation of the youth of the country in athletic and sports programs by making surplus athletic equipment available to such associations, groups, organizations, and institutions, and for other purposes.

Surplus athletic equipment.
58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*
Ante, p. 350; *post*, p. 1103.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), notwithstanding the provisions of the Surplus Property Act of 1944, as amended, the War Assets Administrator is authorized to dispose of, without charge except for disassembling, transportation and delivery, to States, their political subdivisions and instrumentalities; to public and governmental institutions; to nonprofit or tax-supported educational institutions and organizations; to charitable and eleemosynary institutions and organizations; to nonprofit associations, groups, institutions, and organizations designated to promote, support, sponsor, or encourage the participation of the youth of the country in athletics, sports, and games any surplus personal property which is suitable for use in athletics, sports, or games by the youth of the country.

(b) To aid in making surplus athletic equipment available to the youth of the country through associations, groups, organizations, and institutions sponsoring or promoting the participation of youth in athletics, sports, and games, any Government agency having a surplus of personal property which would be suitable for the purposes of this Act may declare such surplus to the War Assets Administrator who shall have authority to dispose of same in accordance with the provisions of this Act.

Availability to organizations, etc.

(c) Any surplus property suitable for use by the youth of the country in athletics, sports, and games, or any property owned by any agency of the Government hereafter declared surplus which may be so used, shall not be disposed of in any manner other than as provided in this Act unless the Administrator has given sufficient notice of such property available for disposal as herein provided and no request for such property has been received.

SEC. 2. (a) Any property so transferred shall be without restriction and without charge to the transferee except for disassembling, transporting, and delivering such property. The United States shall incur no obligation or liability in connection with the disassembling, transporting, or delivery of any property disposed of pursuant to this Act.

Transfer of property.

(b) The War Assets Administrator is hereby authorized to prescribe, amend, and rescind such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Rules and regulations.

(c) The War Assets Administrator is hereby authorized to determine the qualifications of the transferees under the provisions of this Act and his decision shall be final.

Finality of decision.

(d) The War Assets Administrator is hereby authorized to effect transfers under the provisions of this Act without regard to priority as between the transferees under this Act or any other law, any law to the contrary notwithstanding.

Priority.

Approved June 16, 1948.

[CHAPTER 479]

AN ACT

June 16, 1948
[S. 1675]
[Public Law 653]

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to establish or develop naval installations and facilities by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities; or by the completion of such construction, installation, or equipment specifically approved by the Secretary of the Navy and heretofore undertaken as follows:

Navy Department.
Construction of public works.
Post, p. 1042.

CONTINENTAL UNITED STATES

Naval air station, Alameda, California: Test cells for turbine engines; $230,000.

Naval Academy, Annapolis, Maryland: Facilities for flight indoctrination, including the acquisition of land (two thousand four hundred acres); $12,000,000.

National Naval Medical Center, Bethesda, Maryland: Chapel; $205,000.

Marine training and replacement command, Camp Joseph H. Pendleton, Oceanside, California: Acquisition of land, five hundred and seventy-five acres; $46,500.

David Taylor Model Basin, Carderock, Maryland: Wind tunnels and associated facilities; $1,410,000.

Naval amphibious base, Little Creek, Virginia: Acquisition of land, four thousand acres, on Bloodsworth Island, Dorchester County Maryland; $120,000.

Naval supplementary radio station, Dupont, South Carolina: Radio operating building; $74,000.

Naval ordnance test station, Inyokern, California: Acquisition of land, sixty thousand acres; aerodynamics field laboratory (aerodynamics range), ground range, external ballistics, and electronics experimental installation; housing facilities for two hundred and thirty families; $3,670,500.

Naval air station, Key West (Boca Chica), Florida: Acquisition of land, approximately one thousand acres; $60,000.

Naval ammunition depot, Lake Denmark, New Jersey: Liquid fuel rocket test laboratory; $306,000.

Naval Reserve Armory, Lawrence, Massachusetts: Acquisition of land, five and seven-tenths acres; $100.

Naval Reserve Armory, Lowell, Massachusetts: Acquisition of land, four acres; $800.

Naval air station, Mojave, California: Acquisition of land, twenty-eight acres; $500.

Naval magazine, Montauk, Long Island, New York: Acquisition of land, forty-four acres; $53,300.

Naval auxiliary air station, Oceana, Virginia: Acquisition of avigation easements over approximately four hundred acres of land; $46,000.

Naval air station, Patuxent River, Maryland: Facilities for bombing target; $309,000.

Naval air missile test center, Point Mugu, California: Sea test range, and test and evaluation facilities, including supporting facilities, services, and accessory construction; $30,000,000.

Naval Construction Battalion Center, Port Hueneme, California: Acquisition of land and improvements, sixty-two and forty-five one-hundredths acres; $150,000.

Naval electronics laboratory, Point Loma, San Diego, California: Laboratory supply and utility buildings, including services and accessories; $1,590,000.

Norfolk naval shipyard, Portsmouth, Virginia: Acquisition of land, four and eight hundred and fifty-seven one-thousandths acres; $4,370.

Naval radio station, Skaggs Island, Sonoma, California: Addition to radio operating building; $315,000.

Naval supply annex, Stockton, California: Acquisition of land (small island), three and eighty-eight one-hundredths acres; $1,800.

Aeronautical turbine laboratory, Trenton, New Jersey: Laboratory buildings and facilities, including collateral equipment and accessory construction; $22,750,000.

Naval ordnance laboratory, White Oak, Maryland: Completion of supersonic wind tunnels and aerodynamics range; explosives research facility; $2,275,000.

Naval unit, White Sands Proving Ground, Las Cruces, New Mexico: Additional housing facilities; instrumentation of the one hundred mile range and camp facilities; facilities for pilotless aircraft test range; $6,194,730.

Radio transmitting station (location to be determined): Radio transmission facilities, including collateral equipment and accessory construction; $7,000,000.

Naval research laboratory (location to be determined): Underwater sound reference laboratory; $1,120,000.

For correction of deficiencies in existing or approved facilities, for emergency projects authorized by the Secretary of the Navy, and repairs incident to casualties thereto within the continental United States, for the fiscal years 1948 and 1949; $3,000,000.

OUTSIDE CONTINENTAL UNITED STATES

Naval operating base, Adak, Alaska: Ship-repair facilities; cold-storage building, ice-cream plant and milk facilities; two storehouses; dispensary; utility distribution systems, including water, sewer, electric power, heating plant, roads, walks, and drainage; $11,296,000.

Naval supplementary radio activity, Adak, Alaska: Operations building and associated facilities; $2,500,000.

Naval radio station, Adak, Alaska: Consolidated communication facilities, including buildings and accessories; $2,395,000.

Naval operating base, Argentia, Newfoundland: Facilities for fixed operation of mobile ground approach unit; water-treatment plant; $109,200.

Naval radio station, Argentia, Newfoundland: Consolidated communication facilities, including buildings and accessories; $2,385,000.

Naval radio station, Greenland: Consolidated communication facilities, including buildings and accessories; $1,020,000.

Naval operating base, Guam: Dredging and filling at Apra Harbor; utility distribution systems, including electric transmission, steam-generating plant, island water supply system, water storage and distribution, sewage and drainage systems, and extension of roads; barracks, messhall, and galley; $21,000,000.

Naval medical center, Guam: Development of hospital facilities, including buildings and accessories; $25,000,000.

Naval air station, Guam: Facilities for fixed operation of mobile ground control approach unit; $16,500.

Naval ammunition depot, Guam: High explosive storage facilities and accessories; $10,000,000.

Naval radio station, Guam: Permanent communication facilities, including buildings and accessories; $5,750,000.

Naval supply center, Guam: Permanent facilities, including storage buildings, fuel pipe lines, and accessories; $14,675,000.

Fleet Marine Force Base, Guam: Development of facilities, including buildings, service depot facilities, and accessories; $5,823,000.

Submarine base, Guam: Marginal bulkhead, including base site preparation and accessory construction; $1,670,000.

Naval ammunition depot, Oahu, Hawaii: Acquisition of land, five hundred and twenty acres at Waikele and Kipapa Gulches; acquisition of land at West Loch for barricaded sidings, one hundred and fifty-nine and fourteen one-hundredths acres; $270,000.

Naval air station, Kodiak, Alaska: Facilities for fixed operation of mobile ground control approach unit; $16,500.

Naval radio station, Kodiak, Alaska: Consolidated communication facilities, including buildings and accessories; $2,225,000.

Naval shipyard, Pearl Harbor, Hawaii: Fire protection for drydock numbered 2; modernization of water-front lighting; $143,700.

Naval base, Pearl Harbor, Hawaii: Water pumping station at Waiawa Gulch; $3,575,000.

Naval station, Roosevelt Roads, Puerto Rico: Acquisition of land, Culebra Island; $110,000.

Naval operating base, Saipan: Air intercept training facilities; facilities for fixed operation of mobile ground approach unit; $165,000.

Naval radio station, Summit, Canal Zone: Increase transmitter power output; $612,000.

Supplementary naval radio activity, Wahiawa, Hawaii: Permanent facilities for supplemental radio activity and accessories; $3,000,000.

For correction of deficiencies in existing or approved facilities, for emergency projects authorized by the Secretary of the Navy, and repairs incident to casualties thereto outside the continental United States, for the fiscal years 1948 and 1949; $3,000,000.

Acquisition of lands.

SEC. 2. To accomplish the above authorized construction the Secretary of the Navy is authorized to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation, purchase, or otherwise.

Family quarters.

SEC. 3. Family quarters for personnel of the Navy constructed on or subsequent to the effective date of this Act whether heretofore, herein, or hereafter authorized shall not be of greater net floor area per unit than the following:

For flag officers, two thousand one hundred square feet.

For captains, one thousand six hundred and seventy square feet.

For commanders and lieutenant commanders, one thousand four hundred square feet.

For warrant officers, commissioned warrant officers, and commissioned officers through the rank of lieutenant, one thousand two hundred and fifty square feet.

For enlisted personnel and noncommissioned officers, one thousand and eighty square feet.

"Net floor area."

For the purposes of this Act, net floor area is defined as all floor space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches: *Provided*, That no family quarters for personnel of the Navy shall be constructed with the funds authorized for appropriation herein in excess of a net floor area of one thousand and eighty square feet per unit: *Provided further*, That in any case in which the construction at any station of family quarters having a net floor area in excess of one thousand and eighty square feet is prohibited by the provisions of the foregoing proviso, an equal number of family quarters having a net floor area not in excess of one thousand and eighty square feet may be constructed at such station and any funds saved as a result of the construction of such smaller family quarters or as a result of the succeeding proviso may be utilized to construct family quarters having a net floor area not in excess of one thousand and eighty square feet at any Navy station scheduled for retention in the permanent Military Establishment:

Limitation on floor area.

Type of quarters.

Provided further, That family quarters constructed with the funds authorized for appropriation herein shall be of the multiple type (generally eight families to a unit) or apartment type (generally six families to a unit) except where Tropical or desert climates render the use of multiple type dwellings deleterious to health and welfare and except where one, two or three two-family units are necessary to provide the exact number of family quarters authorized herein for construction at a station.

The above area allowances shall supersede the limitations contained in the Act of July 8, 1946 (Public Law 492, Seventy-ninth Congress), and may be increased by not to exceed 10 per centum for all quarters outside continental United States and by not to exceed 10 per centum for quarters of commanding officers of stations or installations over and above that to which his rank would entitle him.

60 Stat. 490.

Civilian quarters.

Quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility, rating, and pay, as determined by the Secretary of the Navy to be appropriate.

Appropriation authorized.

Post, p. 1042.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary for the purposes

of this Act, but not to exceed $69,800,000, for public works in continental United States during the fiscal year 1948, and $59,971,160 for public works outside continental United States during the fiscal year 1948. With respect to projects within and without continental United States, the approximate cost for each project enumerated in section 1 of this Act may, in the discretion of the Secretary of the Navy, be varied upward or downward 10 per centum, but the total cost of projects in continental United States authorized by this Act shall not exceed $92,932,600, and the total cost of projects outside continental United States authorized by this Act shall not exceed $116,756,900. Any such appropriation shall be available under the direction of the Secretary of the Navy for expenses incident to construction including administration, overhead, planning, and surveys, and shall be available until expended.

Variation of project costs.

Approved June 16, 1948.

[CHAPTER 480]

AN ACT

June 16, 1948
[S. 2201]
[Public Law 654]

Supplementing the Act entitled "An Act authorizing the State of Maryland, by and through its State Roads Commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State", approved April 7, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Maryland, by and through its State Roads Commission or the successors of said commission, is hereby authorized to construct, maintain, and operate, subject to the provisions of subsection (b) of section 502 of the General Bridge Act of 1946, (1) a bridge across or a tunnel under the Chesapeake Bay, in the State of Maryland, from a point in Anne Arundel County at or near Sandy Point to a point approximately opposite on Kent Island, or a combined bridge and tunnel at such location, and approaches thereto, and (2) a bridge across or a tunnel under the Patapsco River in the city of Baltimore from a point at or near the mouth of North West Branch to a point approximately opposite at or near Fairfield, and approaches thereto.

Maryland.
Construction, etc., of bridges.

60 Stat. 847.
33 U. S. C. § 525 (b).

SEC. 2. The State of Maryland, by and through its State Roads Commission or the successors of said commission, is hereby authorized to fix and charge tolls in accordance with the laws of the State of Maryland for the use of each of the structures and facilities the construction of which is hereby authorized and to use such tolls in accordance with the laws of the State of Maryland for the purposes hereinafter provided.

Toll charges.

SEC. 3. The State of Maryland, by and through its State Roads Commission or the successors of said commission, may unite or group either or both of the bridges heretofore constructed in accordance with the provisions of the Act approved April 7, 1938 (52 Stat. 205), across the Susquehanna River and the Potomac River with either or both of the structures and facilities the construction of which is hereby authorized into one or more projects for financing purposes. The rates of tolls charged for the use of each of the structures or facilities so included in any such project shall be so adjusted in accordance with the provisions of said Act of April 7, 1938, as to provide in the aggregate a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating all of the structures or facilities included in the project, and their approaches, under economical management, and to provide a sinking fund sufficient to amortize the aggregate cost of the structures or facilities hereby authorized included in the project, and their approaches, including

Grouping of projects for financing purposes.

Application of tolls to operation, sinking fund, etc.

the principal and interest on revenue bonds issued for financing such costs, and such portion of the aggregate cost not yet amortized of the said bridges across the Susquehanna River and the Potomac River included in the project, and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges but within a period not exceeding forty years from the date of completion of the last completed structure or facility included in the project. Within the afore-mentioned period of forty years, tolls may be charged and continued to be charged for the use of any of the structures or facilities included in any such project and adjusted at such rates as may be necessary to provide a fund sufficient to pay any revenue bonds, with interest thereon and any lawful premium for the retirement thereof before maturity, heretofore or hereafter issued for the financing of such project or any of the structures or facilities included therein, or for the refunding from time to time of said bonds, or any of them, or of any such refunding bonds. Nothing in this Act shall be construed as authorizing tolls to be charged for the use of any one or more of the hereinabove named structures or facilities for the purpose of financing any structure or facility not authorized by this Act and by said Act of April 7, 1938.

Adjustment of tolls to pay bonds, etc.

Maintenance as free bridge.

SEC. 4. After a sinking fund sufficient to amortize the cost of the structures or facilities in any such project and sufficient to pay the principal and interest and any lawful retirement premium on revenue bonds issued as aforesaid with respect to such project shall have been so provided the structures or facilities included in such project shall be maintained and operated free of tolls.

Rights reserved.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved June 16, 1948.

[CHAPTER 481]

June 16, 1948
[S. 2215]
[Public Law 655]

AN ACT

To amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes.

National Heart Act.
Post, p. 1032.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Heart Act".

PURPOSE

SEC. 2. The purpose of this Act is to improve the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assist and foster such researches and other activities by public and private agencies, and promote the coordination of all such researches and activities and the useful application of their results; provide training in matters relating to heart diseases, including refresher courses for physicians; and develop, and assist States and other agencies in the use of, the most effective methods of prevention, diagnosis, and treatment of heart diseases.

RESEARCH AND TRAINING

58 Stat. 707.
42 U. S. C. §§ 281-286.
Post, p. 598.

SEC. 3. (a) The heading of title IV of the Public Health Service Act (42 U. S. C., ch. 6A) is amended to read "TITLE IV—NATIONAL CANCER AND HEART INSTITUTES".

(b) Title IV of such Act is further amended by inserting "PART A—NATIONAL CANCER INSTITUTE" between the heading of such title IV

and the heading of section 401, and by adding immediately after section 406 the following new part: 58 Stat. 708. 42 U. S. C. § 286.

"PART B—NATIONAL HEART INSTITUTE

"ESTABLISHMENT OF INSTITUTE

"SEC. 411. There is hereby established in the Public Health Service a National Heart Institute (hereafter in this part referred to as the 'Institute').

"HEART DISEASE RESEARCH AND TRAINING

"SEC. 412. In carrying out the purposes of section 301 with respect to heart diseases the Surgeon General, through the Institute and in cooperation with the National Advisory Heart Council (hereinafter in this part referred to as the 'Council'), shall— 58 Stat. 691. 42 U. S. C. § 241. *Post*, pp. 467, 468, 601, 1017.

"(a) conduct, assist, and foster researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of heart diseases; Fostering of researches, etc.

"(b) promote the coordination of research and control programs conducted by the Institute, and similar programs conducted by other agencies, organizations, and individuals; Coordination of programs.

"(c) make available research facilities of the Service to appropriate public authorities, and to health officials and scientists engaged in special studies related to the purposes of this part;

"(d) make grants-in-aid to universities, hospitals, laboratories, and other public or private agencies and institutions, and to individuals for such research projects relating to heart diseases as are recommended by the Council, including grants to such agencies and institutions for the construction, acquisition, leasing, equipment, and maintenance of such hospital, clinic, laboratory, and related facilities, and for the care of such patients therein, as are necessary for such research; Grants-in-aid.

"(e) establish an information center on research, prevention, diagnosis, and treatment of heart diseases, and collect and make available, through publications and other appropriate means, information as to, and the practical application of, research and other activities carried on pursuant to this part; Information center.

"(f) secure from time to time, and for such periods as he deems advisable, the assistance and advice of persons from the United States or abroad who are experts in the field of heart diseases; Assistance of heart experts.

"(g) in accordance with regulations and from funds appropriated or donated for the purpose (1) establish and maintain research fellowships in the Institute and elsewhere with such stipends and allowances (including travel and subsistence expenses) as he may deem necessary to train research workers and procure the assistance of the most brilliant and promising research fellows from the United States and abroad, and, in addition, provide for such fellowships through grants, upon recommendation of the Council, to public and other nonprofit institutions; and (2) provide training and instruction and establish and maintain traineeships, in the Institute and elsewhere in matters relating to the diagnosis, prevention, and treatment of heart diseases with such stipends and allowances (including travel and subsistence expenses) for trainees as he may deem necessary, the number of persons receiving such training and instruction, and the number of persons holding such traineeships, to be fixed by the Council, and, in addition, provide for such training, instruction, and traineeships through grants, upon recommendation of the Council, to public and other nonprofit institutions. Research fellowships. Traineeships.

"ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and grants-in-aid for heart disease research and training projects shall be made only after review and recommendation of the Council made pursuant to section 414.

58 Stat. 691.
42 U. S. C. § 241.
Post, pp. 467, 468, 601, 1017.

Acceptance of conditional gifts.
58 Stat. 709.
42 U. S. C. § 219.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of heart diseases, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of $50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

"FUNCTIONS OF THE COUNCIL

"SEC. 414. The Council is authorized to—

Review of research projects.

"(a) review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis or treatment of heart diseases, and certify approval to the Surgeon General, for prosecution under section 412, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of heart diseases;

Review of applications for grants-in-aid.

"(b) review applications from any university, hospital, laboratory, or other institution or agency, whether public or private, or from individuals, for grants-in-aid for research projects relating to heart diseases, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of heart disease;

"(c) review applications from any public or other nonprofit institution for grants-in-aid for training, instruction, and traineeships in matters relating to the diagnosis, prevention, and treatment of heart diseases, and certify to the Surgeon General its approval of such applications for grants-in-aid as it determines will best carry out the purposes of this Act;

Collection and dissemination of information.

"(d) collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, or methods of diagnosis or treatment of heart diseases, by correspondence or by personal investigation of such studies, and with the approval of the Suregon General make available such information through appropriate publications for the benefit of health and welfare agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

Recommendations.
58 Stat. 709.
42 U. S. C. § 219.

"(e) recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 for carrying out the purposes of this part; and

"(f) advise, consult with, and make recommendations to the Surgeon General with respect to carrying out the provisions of this part.

"OTHER AUTHORITY WITH RESPECT TO HEART DISEASES

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the

study of the causes, prevention, or methods of diagnosis or treatment of heart diseases; or (b) the expenditure of money therefor."

NATIONAL ADVISORY HEART COUNCIL

SEC. 4. (a) Section 217 of such Act is amended by adding at the end thereof the following new subsection:

58 Stat. 691.
42 U. S. C. § 218.
Post, p. 600.

"(f) The National Advisory Heart Council shall consist of the Surgeon General or his representative, the chief medical officer of the Veterans' Administration or his representative, the Surgeon General of the Army or his representative, the Surgeon General of the Navy or his representative, who shall be ex officio members, and twelve members appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The twelve appointed members shall be leaders in the fields of fundamental sciences, medical sciences, education, or public affairs, and six of such twelve shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of heart diseases. Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Surgeon General at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed since the end of his preceding term. Every two years the Council shall elect one member to act as Chairman for the succeeding two-year period."

Members.

Term of office.

(b) Subsection (b) of section 217 of such Act is amended to read as follows:

58 Stat. 691.
42 U. S. C. § 218 (b).
Post, p. 600.

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council and, where appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, or the National Advisory Heart Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

National Advisory Health Council.

(c) The heading of section 217 of such Act is amended to read as follows: "NATIONAL ADVISORY HEALTH, CANCER, HEART, AND MENTAL HEALTH COUNCILS".

Post, p. 600.

(d) Subsection (e) of section 208 of such Act is amended to read as follows:

58 Stat. 686.
42 U. S. C. § 210 (e).
Ante, p. 40; *post*, p. 601.

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Heart Council other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

Compensation of members.

(e) Paragraph (d) of section 301 of such Act is amended to read as follows:

58 Stat. 691.
42 U. S. C. § 241 (d).
Post, pp. 601, 1017.

"(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the Natonal Advisory Health

Grants-in-aid to institutions and individuals.

Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases, recommended by the National Advisory Heart Council;".

58 Stat. 692.
42 U. S. C. § 241 (g).
Post, p. 601.

(f) Paragraph (g) of such section 301 is amended to read as follows:

Additional means of research, etc.

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to heart diseases, upon recommendation of the National Advisory Heart Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

CONTROL GRANTS

58 Stat. 694.
42 U. S. C. § 246 (e)-(j).

SEC. 5. (a) Section 314 of such Act is amended by redesignating subsections (e) to (j), inclusive, as subsections (f), (g), (h), (i), (j), and (k), respectively, and by inserting after subsection (d) the following new subsection:

Organized community programs.
Ante, p. 465.

"(e) To enable the Surgeon General to carry out the purposes of part B of title IV and to assist, through grants, States, counties, health districts, and other political subdivisions of the State, and public and nonprofit agencies, institutions, and other organizations, in establishing and maintaining organized community programs of heart disease control, including grants for demonstrations and the training of personnel, there is hereby authorized to be appropriated for each fiscal year such sums as may be necessary for such purposes. For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under this subsection which shall be available for allotment among the several States, and shall, in accordance with regulations, from time to time make allotments from such sum to the several States on the basis of (1) the population and (2) the financial need of the respective States. Upon making such allotments the Surgeon General shall notify the Secretary of the Treasury of the amounts thereof."

Determination of State allotments.

58 Stat. 694.
42 U. S. C. § 246 (e).

(b) The subsection of such section 314 herein redesignated as subsection (f) is amended by striking out the period at the end of the first sentence of such subsection and inserting in lieu thereof the following: ": *Provided*, That in the case of amounts to be paid from allotments to any State under subsection (e), the Surgeon General may determine and certify to the Secretary of the Treasury amounts to be paid to a county, health district, other political subdivision of the State or to any public or nonprofit agency, institution, or other organization in the State, if he finds that payment to such subdivision or other organization has been recommended by the State health authority of the State, and (1) that the State health authority has not, prior to August 1 of the fiscal year for which the allotment is made, presented and had approved a plan in accordance with subsection (g), or (2) that the State health authority is not authorized by law to make payments to such other organization."

Certification of amounts for local groups.

58 Stat. 694.
42 U. S. C. § 246 (f).

(c) The subsection of such section 314 herein redesignated as subsection (g) is amended to read as follows:

Method of expenditure.

"(g) The moneys so paid to any State, or to any political subdivision or other organization, shall be expended solely in carrying out the purposes specified in subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, and in accordance with plans, approved by the Surgeon General, which have been presented by the health authority of such State, or, under the circum-

stances specified in subsection (f) (1), by the political subdivision, or the agency, institution or other organization to whom the payment is made, and, to the extent that any such plan contains provisions relating to mental health, by the mental health authority of such State."

(d) The subsection of such section 314 herein redesignated as subsection (h) is amended to read as follows:

58 Stat. 694.
42 U. S. C. § 246 (g).
Ante, p. 468.
Local contributions.

"(h) Money so paid from allotments under subsections (a), (b), (c), and (e), shall be paid upon the condition that there shall be spent in such State for the same general purpose from funds of such State and its political subdivisions (or in the case of payments to a political subdivision or to an agency, institution or other organization under circumstances specified in subsection (f) (1), from funds of such political subdivision or organization), an amount determined in accordance with regulations."

(e) The subsection of such section 314 herein redesignated as subsection (i) is amended to read as follows:

58 Stat. 695.
42 U. S. C. § 246 (h).
Ante, p. 468.
Failure to comply with requirements.

"(i) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of the State (or, in the case of payments to any political subdivision or any agency, institution, or other organization under the circumstances specified in subsection (f) (1), such subdivision or organization) finds that, with respect to money paid to the State, subdivision, or organization out of appropriations under subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, there is a failure to comply substantially with either—

"(1) the provisions of this section;
"(2) the plan submitted under subsection (g); or
"(3) the regulations;

the Surgeon General shall notify such State health authority or mental health authority, political subdivision, or organization that further payments will not be made to the State subdivision, or organization from appropriations under such subsection (or in his discretion that further payments will not be made to the State, subdivision, or organization from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payment to such State, subdivision, or organization from appropriations under such subsection, or shall limit payment to activities in which there is no such failure."

GENERAL PROVISIONS

SEC. 6. (a) Section 2 of the Public Health Service Act, as amended, is amended by striking out the word "and" at the end of paragraph (l), by striking out the period at the end of paragraph (m) and inserting in lieu thereof "; and", and by inserting after paragraph (m) the following new paragraph:

60 Stat. 421.
42 U. S. C. § 201 (l), (m).
Post, p. 601.

"(n) The term 'heart diseases' means diseases of the heart and circulation."

"Heart diseases."

(b) The term "National Institute of Health", wherever appearing in the Public Health Service Act, is hereby changed to "National Institutes of Health".

"National Institute of Health."

(c) The word "title", wherever appearing in sections 403, 404, and 406 of the Public Health Service Act, is hereby changed to "part".

58 Stat. 707, 708.
42 U. S. C. §§ 283, 284, 286.

Approved June 16, 1948.

[CHAPTER 482]

AN ACT

June 16, 1948
[S. 2455]
[Public Law 656]

To amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft.

Civil Aeronautics Act, amendment.
49 U. S. C., Supp. I, § 421 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401 and the following), is further amended by inserting, immediately following section 503 thereof, the following new section:

Liability of owner, etc.

"SEC. 504. No person having a security interest in, or security title to, any civil aircraft under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature, and no lessor of any such aircraft under a bona fide lease of thirty days or more, shall be liable by reason of such interest or title, or by reason of his interest as lessor or owner of the aircraft so leased, for any injury to or death of persons, or damage to or loss of property, on the surface of the earth (whether on land or water) caused by such aircraft, or by the ascent, descent, or flight of such aircraft or by the dropping or falling of an object therefrom, unless such aircraft is in the actual possession or control of such person at the time of such injury, death, damage, or loss."

Approved June 16, 1948.

[CHAPTER 483]

AN ACT

June 16, 1948
[S. 2456]
[Public Law 657]

To provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances.

Study of thunderstorms, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of the Weather Bureau is authorized and directed to study fully and thoroughly the internal structure of thunderstorms, hurricanes, cyclones, and other severe atmospheric disturbances, particularly the degree of turbulence within such storms and the development, maintenance, and magnitude of updrafts and downdrafts with a view to establishing methods by which the characteristics of particular thunderstorms may be forecast and methods by which the characteristics of such storms may be determined on visual observation from outside of the immediate thunderstorm area. Such study shall be concluded at the earliest practicable date and a final report submitted to Congress. The Chief of the Weather Bureau shall make interim reports to Congress at least annually during the course of the study.

Reports to Congress.

Expenditures.

SEC. 2. The Chief of the Weather Bureau is empowered to make such expenditures at the seat of government and elsewhere as may be necessary to carry out the purposes of this Act and as from time to time may be appropriated for by Congress, including expenditures for the development and purchase of special meteorological instruments and other equipment (including motor vehicles and aircraft), without regard to the provisions of section 3709 of the Revised Statutes. There is hereby authorized to be appropriated such sums as are necessary for the purpose of carrying out the provisions of this Act.

41 U. S. C. § 5.

Cooperation of other agencies.

SEC. 3. Any executive department or independent establishment is hereby authorized to cooperate with the Chief of the Weather Bureau in carrying out the purposes of this Act, and for such purposes may lend or transfer to the Chief of the Weather Bureau any officer or employee of such department or establishment and any property, equipment, lands, or buildings under its control.

Approved June 16, 1948.

[CHAPTER 484]

AN ACT

June 16, 1948
[S. 2553]
[Public Law 658]

To authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Massachusetts.

Mystic River.
Bridge, Chelsea, Mass.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, without cost to said authority, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, repairs, and operation of approaches to a high level toll bridge crossing Mystic River over and across certain lands comprising a part of the United States Naval Hospital, Chelsea, Massachusetts, metes and bounds description of which is on file in the Navy Department.

Approved June 16, 1948.

[CHAPTER 485]

AN ACT

June 16, 1948
[S. 2593]
[Public Law 659]

To authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Virginia.

Pungo, Va.
Easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to convey to the Commonwealth of Virginia, without cost to the said Commonwealth, and upon such terms and conditions as he may deem proper, a perpetual easement for public-highway purposes in, over, and across a strip of land contiguous to the former naval auxiliary air station, Pungo, Virginia, being approximately one thousand five hundred and ninety-five feet long and containing one and fifty-eight one-hundredths acres, more or less, metes and bounds description of which is on file in the Navy Department.

Approved June 16, 1948.

[CHAPTER 486]

AN ACT

June 16, 1948
[H. R. 5134]
[Public Law 660]

To amend Public Law Numbered 432, Seventy-sixth Congress, to include an allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for vocational-rehabilitation purposes.

Veterans' Administration.
38 U. S. C. § 76.
Ante, p. 160.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Public Law Numbered 432, Seventy-sixth Congress, approved March 14, 1940 (54 Stat. 49), as amended, is hereby amended to read as follows:

Travel expenses.

"That the Administrator of Veterans' Affairs is hereby authorized, under regulations to be prescribed by the President, to pay the actual necessary expenses of travel, including lodging and subsistence, or in lieu thereof an allowance based upon the mileage traveled, of any person to or from a Veterans' Administration facility or other place in connection with vocational rehabilitation or for the purpose of examination, treatment, or care: *Provided*, That payment of mileage in connection with vocational rehabilitation or upon termination of examination, treatment, or care may be made prior to completion of such travel: *And provided further*, That when any such person requires an

Expenses of attendant.

attendant other than an employee of the Veterans' Administration for the performance of such travel, such attendant may be allowed expenses of travel upon a similar basis."

Approved June 16, 1948.

[CHAPTER 487]

AN ACT

June 16, 1948
[H. R. 6730]
[Public Law 661]

To extend for one year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding five years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1948" and inserting in lieu thereof the following: "June 30, 1949".

60 Stat. 299; 61 Stat. 133.
38 U. S. C., Supp. I, § 693.

Approved June 16, 1948.

[CHAPTER 491]

AN ACT

June 17, 1948
[S. 110]
[Public Law 662]

To amend the Interstate Commerce Act with respect to certain agreements between carriers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, is amended by adding after section 5 thereof a new section as follows:

Interstate Commerce Act, amendment.
24 Stat. 380.
49 U. S. C. § 5.

"SEC. 5a. (1) For purposes of this section—

"Carrier."

"(A) The term 'carrier' means any common carrier subject to part I, II, or III, or any freight forwarder subject to part IV, of this Act; and

"Antitrust laws."

"(B) The term 'antitrust laws' has the meaning assigned to such term in section 1 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914.

38 Stat. 730.
15 U. S. C. § 12.

Application for approval of agreement.

"(2) Any carrier party to an agreement between or among two or more carriers relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, or procedures for the joint consideration, initiation or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement (if approval thereof is not prohibited by paragraph (4), (5), or (6)) if it finds that, by reason of furtherance of the national transportation policy declared in this Act, the relief provided in paragraph (9) should apply with respect to the making and carrying out of such agreement; otherwise the application shall be denied. The approval of the Commission shall be granted only upon such terms and conditions as the Commission may prescribe as necessary to enable it to grant its approval in accordance with the standard above set forth in this paragraph.

Post, p. 473.

Maintenance of records, etc.

"(3) Each conference, bureau, committee, or other organization established or continued pursuant to any agreement approved by the Commission under the provisions of this section shall maintain such accounts, records, files, and memoranda and shall submit to the Commission such reports, as may be prescribed by the Commission,

and all such accounts, records, files, and memoranda shall be subject to inspection by the Commission or its duly authorized representatives.

Carriers of different classes.

"(4) The Commission shall not approve under this section any agreement between or among carriers of different classes unless it finds that such agreement is of the character described in paragraph (2) of this section and is limited to matters relating to transportation under joint rates or over through routes; and for purposes of this paragraph carriers by railroad, express companies, and sleeping-car companies are carriers of one class; pipe-line companies are carriers of one class; carriers by motor vehicle are carriers of one class; carriers by water are carriers of one class; and freight forwarders are carriers of one class.

Pooling, division, etc.

"(5) The Commission shall not approve under this section any agreement which it finds is an agreement with respect to a pooling, division, or other matter or transaction, to which section 5 of this Act is applicable.

24 Stat. 380.
49 U. S. C. § 5.

Joint consideration of matters.

"(6) The Commission shall not approve under this section any agreement which establishes a procedure for the determination of any matter through joint consideration unless it finds that under the agreement there is accorded to each party the free and unrestrained right to take independent action either before or after any determination arrived at through such procedure.

Investigation of prior agreements.

"(7) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether any agreement previously approved by it under this section, or terms and conditions upon which such approval was granted, is not or are not in conformity with the standard set forth in paragraph (2), or whether any such terms and conditions are not necessary for purposes of conformity with such standard, and, after such investigation, the Commission shall by order terminate or modify its approval of such agreement if it finds such action necessary to insure conformity with such standard, and shall modify the terms and conditions upon which such approval was granted to the extent it finds necessary to insure conformity with such standard or to the extent to which it finds such terms and conditions not necessary to insure such conformity. The effective date of any order terminating or modifying approval, or modifying terms and conditions, shall be postponed for such period as the Commission determines to be reasonably necessary to avoid undue hardship.

Hearing.

"(8) No order shall be entered under this section except after interested parties have been afforded reasonable opportunity for hearing.

Relief from operation of antitrust laws.

"(9) Parties to any agreement approved by the Commission under this section and other persons are, if the approval of such agreement is not prohibited by paragraph (4), (5), or (6), hereby relieved from the operation of the antitrust laws with respect to the making of such agreement, and with respect to the carrying out of such agreement in conformity with its provisions and in conformity with the terms and conditions prescribed by the Commission.

Applicability.

"(10) Any action of the Commission under this section in approving an agreement, or in denying an application for such approval, or in terminating or modifying its approval of an agreement, or in prescribing the terms and conditions upon which its approval is to be granted, or in modifying such terms and conditions, shall be construed as having effect solely with reference to the applicability of the relief provisions of paragraph (9)."

JOSEPH W. MARTIN JR
Speaker of the House of Representatives.

H. C. LODGE, JR.
Acting President of the Senate pro tempore.

IN THE SENATE OF THE UNITED STATES,
June 16 (legislative day, June 15), 1948.

Certificate of Senate.

The Senate having proceeded to reconsider the bill (S. 110) entitled "An Act to amend the Interstate Commerce Act with respect to certain agreements between carriers", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest: CARL A. LOEFFLER
Secretary.

Certificate of origin.

I certify that this Act originated in the Senate.

CARL A. LOEFFLER
Secretary.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 17, 1948.

Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (S. 110) entitled "An Act to amend the Interstate Commerce Act with respect to certain agreements between carriers", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest: JOHN ANDREWS
Clerk.

[CHAPTER 492]

AN ACT

June 17, 1948
[S. 153]
[Public Law 663]

Authorizing the Secretary of the Army to have prepared a replica of the Dade Monument for presentation to the State of Florida.

Dade Monument. Replica.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon payment by the State of Florida to the Department of the Army of such sum as may be necessary to defray all expenses necessarily incident thereto, the Secretary of the Army is authorized and directed to cause to be prepared an exact replica of the Dade Monument, located on the grounds of the United States military reservation at West Point, New York, and to present such replica to the State of Florida for erection in the Dade State Memorial Park.

Approved June 17, 1948.

[CHAPTER 493]

AN ACT

June 17, 1948
[S. 1520]
[Public Law 664]

To amend section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended, so as to provide reimbursement to the Post Office Department by the Navy Department for shortages in postal accounts occurring while commissioned officers of the Navy and Marine Corps are designated custodians of postal effects.

Navy and Coast Guard mail clerks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended (39 U. S. C., Supp. V, 135), is hereby further amended to read as follows:

39 U. S. C. § 135.

Bonds.

"Every Navy mail clerk and assistant Navy mail clerk and every Coast Guard mail clerk and assistant Coast Guard mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties

as such clerk: *Provided*, That the Secretary of the Navy may waive the giving of bond in the cases of Navy mail clerks and assistant Navy mail clerks. Navy mail clerks and assistant Navy mail clerks whose bonds are so waived shall not be entitled to the extra compensation otherwise authorized to be paid them by law. The Post Office Department shall be reimbursed annually by the Navy Department in an amount equal to funds embezzled by unbonded Navy mail clerks, assistant Navy mail clerks, and commissioned officers of the Navy and Marine Corps, and funds expended in payment of claims arising from errors, losses, or defalcations by unbonded Navy mail clerks, assistant Navy mail clerks, and commissioned officers of the Navy and Marine Corps: *Provided further*, That 'commissioned officers of the Navy and Marine Corps' as used in the foregoing provision shall be construed to mean only those commissioned officers of the Navy and Marine Corps who have been designated custodians of postal effects by the commanding officer."

Waiver of requirement.

Reimbursements.

"Commissioned officers."

SEC. 2. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved June 17, 1948.

[CHAPTER 494]

AN ACT

Providing for the suspension of annual assessment work on mining claims held by location in the United States.

June 17, 1948
[S. 2479]
[Public Law 665]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, until the hour of 12 o'clock meridian on the 1st day of July, 1948: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this Act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1948, a notice of his desire to hold said mining claim under this Act.

Mining claims.
Suspension of annual assessment work.
30 U. S. C. § 28.

Approved June 17, 1948.

[CHAPTER 495]

AN ACT

To provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described.

June 17, 1948
[S. 2496]
[Public Law 666]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the following described public lands in the State of Florida, to wit: Lots 1, 2, 3, and 4 of section 5; lots 1 and 2 of section 6; lots 1, 2, and 3 of section 7; lots 1, 2, 3, and 4 of section 8; lots 1 and 2 of section 9; lot 1 of section 17; and lots 1, 2, 3, 4, and 5 of section 18 in township 33 south, range 16 east, together with accretion thereto, shall be conveyed to Pinellas County, State of Florida, when it shall be determined that it is no longer necessary for the purpose for which it was reserved by Presidential orders of March 23, 1849, and November 17, 1882, or is not needed for the purposes as set forth in Executive Order Numbered 9151, April 28, 1942, and that the Secretary of the Interior is hereby

Pinellas County, Fla.
Conveyance.

3 CFR, Cum. Supp., p. 1151.

authorized and directed to sell the said land, and to execute the proper conveyances to Pinellas County, State of Florida, with a reservation to the United States of all minerals in said lands and the right to prospect for, mine, and remove the same under regulations prescribed by the Secretary of the Interior. The consideration for such conveyance shall be—

(a) with respect to that portion of said lands which was originally purchased by said county from the Treasury Department in 1938 and thereafter was reconveyed by it to the War Department in 1941, the sum received by said county from the War Department in consideration for such reconveyance; and

(b) with respect to the remainder of said lands, 50 per centum of the reasonable appraised value thereof, as determined by the Secretary of the Interior.

Use of land.

SEC. 2. The property acquired pursuant to section 1 shall be retained by the said Pinellas County and be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time, in whole or in part or parts, to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

Approved June 17, 1948.

[CHAPTER 496]

AN ACT

June 17, 1948
[H. R. 3628]
[Public Law 667]

To revise the method of issuing patents for public lands.

Patents for public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all patents for public lands shall be issued and signed by the Secretary of the Interior in the name of the United States: *Provided*, That the Secretary may delegate his authority under this Act to officers or employees of the Department of the Interior, but notice of any such delegation shall be given by publication in the Federal Register.

Repeals.

SEC. 2. The following are hereby repealed:

(a) Section 450, Revised Statutes (43 U. S. C., sec. 8).

(b) Section 451, Revised Statutes (43 U. S. C., sec. 9).

(c) Section 458, Revised Statutes (43 U. S. C., sec. 15).

(d) That part of the Act of June 19, 1878 (20 Stat. 178, 183), which reads as follows: "And the duties prescribed by section of the Revised Statutes numbered four hundred and fifty shall devolve upon and be discharged by one of the executive clerks, to be designated by the President for that purpose."

Approved June 17, 1948.

[CHAPTER 497]

AN ACT

June 17, 1948
[H. R. 4032]
[Public Law 668]

To amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States.

Navy.
Delegation of certain powers to Secretary of Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Acts or parts of Acts are hereby amended by striking out the word "President", wherever it appears, and substituting in lieu thereof the words "Secretary of the Navy":

(a) Section 1443, Revised Statutes (34 U. S. C. 381);
(b) Section 1453, Revised Statutes (34 U. S. C. 417);
(c) Section 1454, Revised Statutes (34 U. S. C. 418);
(d) The last sentence of the second proviso of the second paragraph under the heading "Pay of the Navy" of the Act of May 13, 1908, as it appears on page 128, volume 35, of the Statutes at Large (34 U. S. C. 383).

SEC. 2. Section 2 of the Act of March 4, 1925 (43 Stat. 1270; 34 U. S. C. 1017), is hereby amended by changing the final period to a colon and adding the following: "*Provided further*, That all authority hereby vested in the President shall hereafter be exercised by the Secretary of the Navy with respect to commissioned officers, warrant officers, and enlisted personnel of the Navy and Marine Corps."

Approved June 17, 1948.

[CHAPTER 500]

AN ACT

To provide for the carrying of mail on star routes, and for other purposes.

June 19, 1948
[S. 263]
[Public Law 669]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3951 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 39, sec. 434), is amended by adding at the end thereof the following:

Star mail routes.

"The Postmaster General may, in his discretion and in the interest of the postal service, notwithstanding the provisions of section 3949 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 39, sec. 429), by mutual agreement with the holder of any star-route contract, renew such contract at the rate prevailing at the end of the contract term, for additional terms of four years with such bond as may be required by the Postmaster General. Any such contract may be terminated at the end of any four-year term at the option of the Postmaster General or the contractor or terminated at any time by operation of any existing law.

Renewal of contract.

Termination.

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, with the consent of the contractor, and without regard to the provisions of sections 3958 and 3961 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 39, secs. 438 and 441), readjust the compensation of a star-route contractor for increased or decreased costs occasioned by changed conditions occurring during the contract term which could not reasonably have been anticipated at the time of making his original proposal or executing his bond for a renewed contract as provided herein."

Readjustment of compensation.

39 U. S. C. §§ 438, 441.

Approved June 19, 1948.

[CHAPTER 501]

AN ACT

To further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended.

June 19, 1948
[S. 295]
[Public Law 670]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth paragraph of section 127a of the National Defense Act, as amended (10 U. S. C., Supp. V, 535), is further amended to read as follows:

National Defense Act, amendment.
41 Stat. 786.
10 U. S. C. § 535.

"The Secretary of the Army is hereby authorized to detail personnel of the Army of the United States, without regard to component, as students at such technical, professional, and other civilian educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places as shall be best suited to enable

Detail of personnel as students, etc.

such personnel to acquire knowledge or experience in the specialties in which it is deemed necessary that such personnel shall perfect themselves, and any officer or warrant officer who receives such instruction shall, immediately upon termination thereof, be ordered to active duty for a period at least equal to the duration of his period of instruction but not greater than four years, except that where the duration of such training is ninety days or less, such subsequent active duty may be at the discretion of the Secretary of the Army and only with the consent of the individual concerned: *Provided*, That no member of the National Guard or the Organized Reserve Corps shall be detailed as a student, observer, or investigator pursuant to the provisions of this Act nor be ordered to active duty as herein provided except with his own consent, and, in the case of a member of the National Guard of the United States, with the approval of the Governor or other appropriate authority of the State, Territory, or the District of Columbia, whichever is concerned: *Provided further*, That the Secretary of the Army may require that an enlisted man, prior to his detail pursuant to the provisions of this paragraph, shall be discharged and reenlisted in his component for a period of not less than three years; and the total length of detail of an enlisted man pursuant to the provisions of this paragraph shall not exceed 50 per centum of his enlistment period: *And provided further*, That at no time shall more than 8 per centum of the authorized commissioned officer strength, 8 per centum of the authorized warrant officer strength, or 2 per centum of the authorized enlisted strength of the Regular Army, or more than 8 per centum of the actual commissioned officer strength, 8 per centum of the actual warrant officer strength, or 2 per centum of the actual enlisted strength of all reserve components of the Army (including in the computation of the actual strength of each such class of reserve personnel persons in active or inactive duty status), be detailed as students pursuant to the provisions of this paragraph."

Consent of individual.

Discharge and reenlistment.

Limitation on details.

Expenditures.

SEC. 2. All expenditures incident to the detail of personnel as students at such technical, professional, and other civilian educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as provided herein, shall be paid from any appropriated Department of the Army funds.

Applicability.

SEC. 3. The provisions of the foregoing section shall be equally applicable to the Department of the Air Force: *Provided*, That all reference therein to the Secretary of the Army, the Department of the Army, the Regular Army, the National Guard of the United States, and the Army of the United States shall, insofar as they apply to the Department of the Air Force, be construed for the purpose of this section as referring to the Secretary of the Air Force, the Department of the Air Force, the United States Air Force, the Air National Guard, and the Air Force of the United States, respectively.

Approved June 19, 1948.

[CHAPTER 502]

June 19, 1948
[S. 554]
[Public Law 671]

AN ACT

To provide for the collection and publication of statistical information by the Bureau of the Census.

Censuses of manufacturers, trades, etc.
Post, p. 1038.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Director of the Bureau of the Census, hereinafter referred to as the Director and the Bureau, respectively, is authorized and directed to

take, compile, and publish the censuses of manufacturers, of mineral industries, and of other businesses, including the distributive trades, service establishments, and transportation (exclusive of means of transportation for which statistics are required by law to be filed with a designated regulatory body), in the year 1949 and every fifth year thereafter, and each such census shall relate to the year immediately preceding the taking thereof: *Provided*, That the census of manufacturers shall not be taken in 1949. The censuses herein provided for shall include the United States and its Territories and such possessions as may be determined by the Director with the approval of the Secretary of Commerce.

Surveys.

(b) That the Director is further authorized to make such surveys as are deemed necessary to furnish annual and other interim current data on the subjects covered by the censuses provided for in this and other Acts.

SEC. 2. That the following sections of the Act of June 18, 1929 (46 Stat. 21), shall apply to the censuses and surveys authorized by this Act: Section 3, as amended by section 404 of Reorganization Plan Numbered II (53 Stat. 1436), and sections 5, 7, 8, 9, 10, 11, 12, and 15, except that the Director may also authorize the expenditure of necessary sums for travel expenses for attendance at training courses held by the Bureau: *Provided*, That in connection with any survey conducted by the Director pursuant to section 1 (b) of this Act, the provisions of sections 9 and 10 of the Act of June 18, 1929 (46 Stat. 21), with respect to the answering of questions and furnishing of information, shall apply only to such inquiries as are within the scope of the schedules and of the type and character heretofore used in connection with the taking of complete censuses under the Act of June 18, 1929 (46 Stat. 21), or in connection with any censuses hereafter taken pursuant to section 1 (a) of this Act and the Act of June 18, 1929: *Provided further*, (a) That sections 9 and 10 of the Act of June 18, 1929 (46 Stat. 21), shall apply to surveys conducted pursuant to section 1 (b) of this Act only after publication of a determination with reasons therefor certified by the Director with the approval of the Secretary of Commerce that the information called for is needed to aid or permit the efficient performance of essential governmental functions or services; or has significant application to the needs of the public, business, or industry and is not publicly available from nongovernmental or other governmental sources; (b) that in the case of any new survey said sections 9 and 10 shall apply only after public notice, given by the Director at least thirty days in advance of requesting a return, that such survey is under consideration; (c) that the provisions of said sections 9 and 10 shall not apply to any survey more frequent than annual conducted pursuant to section 1 (b) of this Act; and (d) that the provisions for imprisonment provided by said sections 9 and 10 shall not apply in connection with any survey conducted pursuant to section 1 (b) of this Act.

13 U. S. C. §§ 203, 205, 207–212, 215; Supp. I, § 111; 5 U. S. C. § 133t note.

Furnishing of information.

13 U. S. C. §§ 209, 210.

Determination of need for information.

13 U. S. C. §§ 209, 210.

SEC. 3. That inquiries, and the number, form, and subdivisions thereof for the censuses and surveys provided for in this Act, shall be determined by the Director, with the approval of the Secretary of Commerce. To the extent that the provisions of this Act conflict with the provisions of any other Act, pertaining to the Bureau of the Census, the provisions of this Act shall control: *Provided*, That nothing herein shall be deemed to revoke or impair the authority of any other Federal agency with respect to the collection or release of information.

Determination of inquiries, number, etc.

Approved June 19, 1948.

[CHAPTER 503]

AN ACT

June 19, 1948
[S. 612]
[Public Law 672]

To amend section 35 of chapter III of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", as amended, and to repeal section 36 of said chapter III of said Act, as amended, so as to permit certain additional investments.

Life insurance, D. C.
48 Stat. 1153, 1152.
D. C. Code §§ 35-536, 35-535.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 36 of chapter III of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", as amended, is hereby repealed, and that section 35 of said chapter III of said Act, as amended, is amended to read as follows:

"SEC. 35. INVESTMENTS OF FUNDS OF DOMESTIC COMPANIES.—A domestic company shall invest its funds only in—

Government bonds.

"(1) Bonds, notes, or other evidences of indebtedness of the United States, any State, Territory or possession of the United States, the District of Columbia, the Dominion of Canada, any province of the Dominion of Canada, or of any administration, agency, authority, or instrumentality of any of the political units enumerated.

"(2) Bonds, notes, or other evidences of indebtedness guaranteed or insured as to principal and interest by the United States, any State, Territory or possession of the United States, the District of Columbia, the Dominion of Canada, any Province of the Dominion of Canada, or by an administration, agency, authority, or instrumentality of any of the political units enumerated.

Municipal, etc., bonds.

"(3) Bonds, notes, or other evidences of indebtedness issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village or other civil administration, agency, authority, instrumentality or subdivision of a State, Territory or possession of the United States, or the District of Columbia, or of the Dominion of Canada, or any province thereof, provided such obligations are authorized by law and are (a) direct and general obligations of the issuing, guaranteeing, or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality; or (b) payable from designated revenues pledged to the payment of the principal and interest thereof.

Bonds of specified agencies, etc.

"(4) Legally authorized bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness, and share certificates, which have been or may be issued by (a) the Federal home-loan bank; (b) the Home Owners' Loan Corporation; (c) any Federal savings and loan association; (d) the Reconstruction Finance Corporation; (e) the Federal Farm Loan Board; (f) any Federal land bank; (g) the Federal Intermediate Credit Bank; (h) any housing authority organized under the public housing laws of the District of Columbia or any State of the United States, or in notes, bonds, or loans secured by mortgage or deed of trust insured under the provisions of the National Housing Act, as amended, or guaranteed or insured pursuant to the provisions of title III of an Act of Congress of the United States of June 22, 1944, cited as the 'Servicemen's Readjustment Act of 1944', as heretofore or hereafter amended, or by any entity, corporation, or agency which has been or which may be created by or authorized by any Act which has been enacted, or which may hereafter be enacted by the Congress of the United States, or any amendment thereto, which has for its purpose the relief of, refinancing of, or assistance to owners of mortgaged or encumbered homes, farms, or other real estate.

58 Stat. 291.
38 U. S. C. §§ 694-694j.
Post, p. 1275.

Bonds, etc., secured by first lien on real estate.

"(5) (a) Bonds, notes, or loans secured by first lien on real estate in the United States or Dominion of Canada worth at least 40 per centum more than the amount loaned thereon: *Provided*, That this

limitation shall not apply to any of the classes of securities mentioned in subsection (4) of this section, if guaranteed or insured in whole or in part as therein provided; but nothing in this section shall be deemed to prohibit a company from renewing or extending a loan for the original amount where there has been a shrinkage in the value of such real estate nor to prohibit a company from accepting, as part payment for real estate sold by it, a lien thereon for more than the percentage herein specified of the purchase price of such real estate. For the purpose of this section real estate shall not be deemed to be encumbered by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, water, or timber rights, rights-of-way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner.

Unencumbered real estate.

"(b) Bonds, notes, or loans secured by first lien on leasehold estates in improved real property located in the United States or Dominion of Canada, where such real property is unencumbered except by rentals to accrue therefrom to the owner of the fee, and where there is no condition or right of reentry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed, so long as the lessee is not in default, provided the value of such leasehold, with improvements thereon shall be at least 50 per centum more than the amount loaned thereon: *Provided*, That this limitation shall not apply to any of the classes of securities mentioned in subsection (4) of this section, if guaranteed or insured in whole or in part as therein provided. Such loan shall be completely amortized during the unexpired portion of the lease or leasehold estate securing its payment.

Leasehold estates.

"(c) Loans or advances by a company for the purpose of making repairs, alterations, additions, or improvements to homes or other buildings on improved real estate upon which real estate or upon a leasehold estate in said real estate such company then holds a first lien to secure a loan previously made: *Provided*, That no such loan or advance shall be made in a sum in excess of $2,000: *And provided further*, That the amount of such loan or advance when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the first lien.

Loans for repairs, improvements, etc.

Limitation.

"(d) Ground rents in the District of Columbia or any State of the United States: *Provided*, That in the case of unexpired redeemable ground rents the premiums paid, if any, shall be amortized over the period between the date of acquisition and earliest redemption date, or charged off at any time prior to redemption date; and in the case of expired redeemable ground rents the premiums paid, if any, shall be charged off at the time of acquisition. Redeemable ground rents purchased at a discount shall be carried at an amount not greater than the cost of acquisition.

Ground rents.

"(6) Notes, bonds, or equipment trust certificates secured by any transportation equipment leased or sold to a common carrier, domiciled within the United States or the Dominion of Canada, with gross revenues exceeding one million dollars in the fiscal year immediately preceeding purchase, which notes, bonds, or equipment trust certificates provide a right to receive determined rental, purchase or other fixed obligatory payments adequate to retire the obligations within twenty years from date of issue and also provide (a) for the vesting of title to such equipment, free from encumbrance in a corporate trustee or (b) for the creation of a first lien on such equipment, provided at the date of purchase such notes, bonds, or trust certificates are not in default as to principal or interest.

Transportation equipment.

"(7) Bonds and other evidences of indebtedness of any solvent corporation created under the laws of the United States or any State

Bonds of solvent corporations.

Restriction.

thereof, or the District of Columbia, or the Dominion of Canada or any province thereof: *Provided*, That (1) no company shall invest an amount in excess of 2 per centum of its admitted assets in any one issue of such obligations of any one corporation; (2) the net earnings of the issuing corporation available for its fixed charges for a period of five fiscal years next preceding the date of acquisition by such insurance company shall have averaged yearly, and during the last year of said five-year period shall have been not less than one and one-half times its annual fixed charges at the time of the investment, or, if a new issue, as shown by the pro forma statement of the corporation; and (3) there shall have been no defaults in interest thereon, or on any such obligations of such corporation which are of equal or higher priority with those purchased, during the period of five years next preceding the date of acquisition, or, if outstanding for less than five years, at any time since said obligations were issued. The term 'net earnings available for fixed charges', as used herein, shall mean the net income after deducting all operating and maintenance expenses and taxes other than Federal, State, and District of Columbia income taxes, but nonrecurring items of income and expense may be eliminated. The term 'fixed charges' as used herein shall include interest on all of the fixed interest-bearing debt of the corporation outstanding and maturing in more than one year, as of the date of acquisition, and in case of investment in contingent interest obligations, said term shall also include maximum annual contingent interest as of said date. The earnings of all predecessor, merged, consolidated, or purchased companies may be included through the use of consolidated or pro forma statements provided the fixed charges of all such companies are also included.

"Net earnings available for fixed charges."

"Fixed charges."

Bills of exchange.

"(8) Bank certificates of deposit and bankers' acceptances, and other bills of exchange of the kind and maturities made eligible by law for purchase in the open market by Federal Reserve banks.

Preferred stock.

"(9) Preferred stock of any solvent corporation (other than its own) created under the laws of the United States, or of any State thereof, or the District of Columbia, or the Dominion of Canada, or any Province thereof, where such corporation has not failed in any one of the three fiscal years next preceding such investment, to have earned a sum applicable to dividends on such preferred stock equal at least to three times the amount of dividends due in that year, or where in case of issuance of new preferred stock such earnings applicable to dividends are equal to at least three times the amount of pro forma annual dividend requirements after giving effect to such new financing, and where the bonds and other evidences of indebtedness, if any, of such corporation are eligible as investments under the provisions of subsection (7) of this section, and where the total investment in any one issue of such preferred stock of any one corporation does not exceed 1 per centum of the investing company's admitted assets.

Common stocks.

"(10) Common stocks of any solvent corporation (other than its own) created under the laws of the United States, or of any State thereof, or the District of Columbia, or the Dominion of Canada, or any Province thereof, which shall have paid common dividends in cash for not less than five years next preceding the purchase of such stocks, and where the bonds and other evidences of indebtedness, if any, and the preferred stock, if any, of such corporation are eligible as investments under the provisions of subsections (7) and (9), respectively, of this section, and where the total investment in the common stock of any one corporation does not exceed 1 per centum of the investing company's admitted assets."

Loans.

"(11) Loans upon the pledge of any of the securities aforesaid.

"(12) A life-insurance company may also purchase for its own benefit any policy of life insurance or other obligation of the company and claims of the holders thereof, and may lend to the holders of its life-insurance policies sums not exceeding in any case the reserve value of the policy at the time the loan is made, and for the payment of any such loan the policy and all amounts payable thereunder shall be pledged. Purchase of policies.

"(13) A company doing business in a foreign country may invest the funds required to meet its obligations in such country and in conformity to the laws thereof in the same kind of securities in such foreign country that such company is allowed by law to invest in the United States. Company in business in a foreign country.

"(14) A life-insurance company may also acquire, hold, and convey real estate for the purposes and in the manner following: Real estate holdings.

"(a) the building in which it has its principal office and the land on which it stands;

"(b) such as shall be requisite for its convenient accommodation in the transaction of its business;

"(c) such as shall have been acquired for the accommodation of its business;

"(d) such as shall have been conveyed to it in satisfaction of debts, previously contracted, in the course of its dealings;

"(e) such as it shall have purchased at trustee sale or sales on judgments, decrees, or mortgages obtained or made for such debts; and

"(f) such as it may purchase or hold for the production of income. It may improve or otherwise develop in any manner such real estate and the improvements thereon, and may own, maintain, manage, collect, and receive income from, and sell or convey the same. No company shall, in any period of twelve consecutive months, invest in or agree to pay for real estate, including improvements thereon, under the authority of this item (f) an aggregate amount in excess of 2 per centum of its admitted assets as shown in its most recent annual statement; nor shall the total value of real estate and improvements thereon acquired or held by a company for the production of income under the provisions of this item (f) at any time exceed 5 per centum of its said admitted assets. No investment shall be made by any company pursuant to this item (f) if such company then owns real estate having a total value in excess of 10 per centum of its said admitted assets or if such investment will cause such company's aggregate investments in real estate owned by it to exceed 10 per centum of its said admitted assets: *Provided*, That for the purpose of applying said 10 per centum limitation real estate shall include all real estate then owned by the company and such real estate as it may have owned and sold on contract, to the extent of the balance unpaid on such contract of sale; or if the balance unpaid on account of real estate owned and sold by a company is secured by mortgage or other instrument, there shall be included as real estate the amount, if any, by which the balance unpaid exceeds 75 per centum of the value of such real estate. A company may, subject to the limitations and conditions of this item (f), elect to consider property acquired as specified in items (c), (d), and (e) as real estate for the production of income as defined in this item (f). Such election shall be duly authorized and recorded by the board of directors or by a committee thereof charged with the duty of supervising loans or investments. Limitation.

All such real estate specified in items (c), (d), and (e) of this subsection (14), which shall not be necessary for its accommodation in the convenient transaction of its business, and which it has not elected to Sale of property.

hold for the production of income, shall be sold by the company and disposed of within five years after it shall have acquired the title to the same, or within five years after the same shall have ceased to be necessary for the accommodation of its business, unless the company file with the Superintendent an application for extension of time, supported by such evidence as may be required by the Superintendent, establishing to his satisfaction that an extension would be to the advantage of the company and that the interests of the company would be affected adversely by a forced sale thereof, in which event the time for the sale may be extended to such time as the Superintendent shall direct.

Approval of loans or investments.

"No loan or investment, except loans on the security of life-insurance policies, shall be made by any such company, unless the same shall have been authorized or be approved by the board of directors or by a committee thereof charged with the duty of supervising loans or investments.

Restriction on joint underwriting, etc.

"No such company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property; but the disposition of its assets shall at all times be within the control of the company.

Acceptance of securities, etc.

"Nothing in this Act shall prohibit a company from accepting in good faith, to protect its interests, securities or property, other than herein referred to, in payment of or to secure debts due or to become due the company."

Approved June 19, 1948.

[CHAPTER 504]

AN ACT

June 19, 1948
[S. 692]
[Public Law 673]

To authorize a mileage allowance of 7 cents per mile for United States marshals and their deputies for travel on official business.

U. S. marshals. Mileage allowance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That United States marshals and their deputies shall, under regulations prescribed by the Attorney General and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 7 cents per mile for use of privately owned automobiles or airplanes when used on official business or when used in necessary travel on official trips.

Reimbursement for tolls, etc.

In addition to the mileage allowance prescribed in this Act, there shall be allowed to United States marshals and their deputies reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls.

Approved June 19, 1948.

[CHAPTER 505]

AN ACT

June 19, 1948
[S. 1082]
[Public Law 674]

To credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion.

Postal service. Credit for certain service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any employee of the postal service who is in a position for which salary grades are provided in the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, and who transfers or is transferred from such position to any other position in the postal service for

59 Stat. 435.
39 U. S. C. §§ 851-876; Supp. I, § 853 *et seq.*
Post, pp. 490, 1108, 1165, 1260.

which salary grades are provided by such Act, shall, for purposes of establishing eligibility for promotion in the position to which he transfers or is transferred, (1) in the case of an employee in a position for which automatic promotions are provided, be credited with all satisfactory service since his last automatic promotion and (2) in the case of an employee in a position for which automatic promotions are not provided, be credited with all satisfactory service, not exceeding one year of such service, performed in such position.

Eligibility for promotion.

SEC. 2. Any such employee shall be eligible for promotion within the salary grades of his new position after completing an amount of service in such position, which when added to the prior service for which credit is provided by the first section of this Act, gives such employee sufficient service for promotion in his new position.

"Employee."

SEC. 3. As used in this Act, the term "employee" includes postmasters, officers, supervisors, special-delivery messengers in offices of the first class, and all other employees paid from field appropriations of the postal service for whom salary grades are provided in the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945.

59 Stat. 435.
39 U. S. C. §§ 851-876; Supp. I, § 853 *et seq.*
Post, pp. 490, 1108, 1165, 1260.

Transfer from one position to another.

SEC. 4. This Act shall be applicable in determining eligibility for promotion of any employee who has been transferred from one position of the postal service to another prior to the date of enactment of this Act and who has not received a promotion in his new position since such transfer, except that no employee shall be promoted because of such application prior to the first day of the first quarter which begins after the date of enactment of this Act.

Dual capacity.

SEC. 5. The rate of compensation of any employee in the postal service whose services are utilized in a dual capacity shall not be reduced as a result of employment in such capacity: *Provided*, That this section shall not apply to the rural delivery service.

Nonapplicability.

SEC. 6. The provisions of sections 1, 2, 3, and 4 of this Act shall not apply to employees who transfer or are transferred to the position of post-office inspector or to the position of railway postal clerk.

Approved June 19, 1948.

[CHAPTER 506]

AN ACT

To amend the Act entitled "An Act to provide for the training of officers for the naval service, and for other purposes", approved August 13, 1946, as amended.

June 19, 1948
[S. 1214]
[Public Law 675]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the training of officers for the naval service, and for other purposes", approved August 13, 1946 (60 Stat. 1057), as amended, is hereby further amended as follows:

Navy.
Officer training.

(a) In clause (b) of section 2 after the word "Navy" insert the following: ", or his designated representative".

34 U. S. C. § 1020a (b).

(b) Amend the first sentence of the first proviso of section 4 to read as follows: "*Provided*, That such benefits and retainer pay shall commence to accrue on the day each midshipman or apprentice seaman commences his first term of college work under the provisions of this Act and that such benefits and retainer pay may be received by midshipmen appointed pursuant to paragraph (a) of section 3 for a period not exceeding four academic years."

34 U. S. C., Supp. I, § 1020c.
Benefits and retainer pay.

34 U. S. C., Supp. I, § 1020b (a).

(c) Amend section 8 to read as follows:

34 U. S. C., Supp. I, § 1020g.
Selection of officers for retention.

"SEC. 8. The Secretary of the Navy shall during the second quarter of each calendar year cause to be examined (a) the records of all ensigns of the line of the Navy and second lieutenants of the Marine

Corps commissioned pursuant to paragraph 2 of subsection (a) of section 6 who apply prior to April 1 of that calendar year or prior to the first anniversary of the acceptance of their commissions, whichever is earlier, for retention in the Regular service as permanent officers and who in the then current calendar year will reach the first anniversary of the date of acceptance of their appointment as ensigns in the Navy or second lieutenants in the Marine Corps, selecting from among such officers the number he may determine necessary for retention, and (b) the records of all other officers appointed pursuant to this Act who apply prior to April 1 of the third calendar year following that in which they accepted their commissions or prior to the third anniversary of the acceptance of their commissions, whichever is earlier, for retention in the Regular service as permanent officers and who in the then current calendar year will reach the third anniversary of the date of acceptance of their appointment as ensigns in the Navy or second lieutenants in the Marine Corps, selecting from among such officers the number that he may determine necessary for retention."

60 Stat. 1060.
34 U. S. C., Supp. I, § 1020h.

(d) Amend section 9 to read as follows:

Termination of commission.
34 U. S. C., Supp. I, § 1020e (a).

"SEC. 9. (a) The commission of each officer commissioned pursuant to paragraph 2 of subsection (a) of section 6 who, prior to April 1 of the calendar year following that in which he accepted his commission or prior to the first anniversary of the acceptance of his commission, whichever is earlier, shall not have applied for retention in the Regular service, shall be terminated not later than the first anniversary of his acceptance of his commission, and the commission of each such officer who applies for retention as a permanent officer within the time limits prescribed by this subsection, but who is not selected for retention under clause (a) of section 8 shall be terminated not later than June 30 of the appropriate calendar year or the first anniversary of his acceptance of his commission, whichever is the later date. Upon termination of commission, each such officer who thereupon accepts appointment to commissioned rank in the Naval or Marine Corps Reserve may apply for and receive retainer pay at the rate of $100 for each calendar month or part thereof during which, while an officer of the Naval or Marine Corps Reserve, he pursues full-time instruction in an accredited college or university but not to exceed a total of $2,000, such instruction to commence not later than a date to be determined by the Secretary of the Navy; in addition, each such officer shall be entitled to the benefits provided for him by section 10 of this Act.

Ante, p. 485.

Appointment to commissioned rank in Reserve.

34 U. S. C., Supp. I, § 1020i.

"(b) The commission of each officer commissioned pursuant to paragraph 1 of subsection (a) of section 6 and pursuant to subsection (b) of section 6 who, prior to April 1 of the third calendar year following that in which he accepted his commission or prior to the third anniversary of the acceptance of his commission, whichever is earlier, shall not have applied for retention in the Regular service, shall be terminated not later than the third anniversary of his acceptance of his commission, and the commission of each such officer who applies for retention as a permanent officer within the time limits prescribed by this subsection, but who is not selected for retention under clause (b) of section 8 shall be terminated not later than June 30 of the appropriate calendar year or the third anniversary of his acceptance of his commission, whichever is the later date. Upon termination of commission, each such officer may be commissioned in the Naval or Marine Corps Reserve in the grade of lieutenant (junior grade) or first lieutenant, as the case may be (if in a staff corps, with the grade of lieutenant (junior grade)), and to rank from a date three years after the date of rank stated in his original commission in the Regular Navy or Regular Marine Corps."

34 U. S. C. § 1020e; Supp. I, § 1020e.

Supra.

Reserve commission in grade of lieutenant (jg), etc.

Approved June 19, 1948.

[CHAPTER 507]

AN ACT

To amend sections 1301 and 1303 of the Code of Law for the District of Columbia, relating to liability for causing death by wrongful act.

June 19, 1948
[S. 1265]
[Public Law 676]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1301 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, is amended to read as follows:

D. C. Code, amendments.

31 Stat. 1394.
D. C. Code § 16-1201.
Death by wrongful act, etc.

"SEC. 1301. LIABILITY.—Whenever by an injury done or happening within the limits of the District of Columbia the death of a person shall be caused by the wrongful act, neglect, or default, of any person or corporation, and the act, neglect, or default is such as would, if death had not ensued, have entitled the party injured, or if the person injured be a married woman, have entitled her husband, either separately or by joining with the wife, to maintain an action and recover damages, the person who or corporation which would have been liable if death had not ensued shall be liable to an action for damages for such death, notwithstanding the death of the person injured, even though the death shall have been caused under circumstances which constitute a felony; and such damages shall be assessed with reference to the injury resulting from such act, neglect, or default causing such death, to the spouse and next of kin of such deceased person; and shall also include the reasonable expenses of last illness and burial: *Provided*, That if there be a surviving spouse the jury shall allocate the portion of its verdict payable to the spouse and next of kin, respectively, according to the finding of damage to said spouse and next of kin: *Provided further*, That if in a particular case the verdict is deemed excessive the trial justice or the United States Court of Appeals for the District of Columbia, on appeal of the cause, may order a reduction of the verdict: *And provided further*, That no action shall be maintained under this chapter in any case when the party injured by such wrongful act, neglect, or default has recovered damages therefor during the life of such party."

Surviving spouse and next of kin.

Recovery of damages during life of party.

SEC. 2. Section 1303 of such Act is amended to read as follows:

31 Stat. 1395.
D. C. Code § 16-1203.

"SEC. 1303. DISTRIBUTION OF DAMAGES.—The damages recovered in such action, except the amount specified by the verdict or judgment covering the reasonable expenses of last illness and burial, shall not be appropriated to the payment of the debts or liabilities of such deceased person, but shall inure to the benefit of his or her family and be distributed to the spouse and next of kin according to the allocation made by the verdict or judgment, or in the absence of such allocation, according to the provisions of the statute of distribution in force in said District of Columbia."

Approved June 19, 1948.

[CHAPTER 508]

AN ACT

To amend sections 235 and 327 of the Code of Laws for the District of Columbia.

June 19, 1948
[S. 1442]
[Public Law 677]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 235 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is hereby amended to read as follows:

31 Stat. 1227.
D. C. Code § 12-101.

"SEC. 235. On the death of any person in whose favor or against whom a right of action may have accrued for any cause prior to his death, said right of action shall survive in favor of or against the legal representative of the deceased: *Provided, however*, That in tort

Survival of right of action.

Tort actions.

actions, the said right of action shall be limited to damages for physical injury except for pain and suffering resulting therefrom."

31 Stat. 1241. D. C. Code § 20-501.

SEC. 2. Section 327 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is hereby amended to read as follows:

Suits by and against executors and administrators.

"SEC. 327. Executors and administrators shall have full power and authority to commence and prosecute any personal action at law or in equity which the testator or intestate might have commenced and prosecuted: *Provided, however*, That in tort actions, the said right of action shall be limited to damages for personal injury except for pain and suffering resulting therefrom; and they shall also be liable to be sued in the District Court of the United States for the District of Columbia in any action at law or in equity, except as aforesaid, which might have been maintained against the deceased; and they shall be entitled to or answerable for costs in the same manner as the deceased would have been, and shall be allowed for the same in their accounts, unless it shall appear that there were not probable grounds for instituting or defending the suits in which judgments or decrees shall have been given against them."

Tort actions.

Approved June 19, 1948.

[CHAPTER 509]

AN ACT

June 19, 1948
[S. 1470]
[Public Law 678]

To amend the Act entitled "An Act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract diseases while engaged in military training, and for other purposes", approved June 15, 1936, as amended, and for other purposes.

National Guard, etc.
Care of sick or injured.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to make provision for the care and treatment of members of the National Guard, Organized Reserve, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract disease while engaged in military training, and for other purposes", approved June 15, 1936 (49 Stat. 1507), as amended (Act July 15, 1939, 53 Stat. 1042; sec. 5, Act October 14, 1940, 54 Stat. 1137; 32 U. S. C. 164d; 10 U. S. C. 455e), is amended by adding at the end thereof the following new section:

"In time of peace."

"SEC. 2. As used in this Act, the term 'in time of peace' shall include that period after September 2, 1945 (the date of formal surrender by Japan), which is prior to the first day on which the United States is, by action of the Congress, or the President, or both, no longer engaged in any war in which the United States is engaged on the date of enactment of this section.

Applicability to Air Force.

"SEC. 3. The foregoing amendment shall be applicable to the Department of the Air Force to the same extent as if enacted prior to the passage of the National Security Act of 1947."

61 Stat. 495. 5 U. S. C., Supp. I, § 171 note.

Approved June 19, 1948.

[CHAPTER 510]

AN ACT

June 19, 1948
[S. 1747]
[Public Law 679]

To authorize credit in certain accounts of United States property and disbursing officers under the War Department, and for other purposes.

Property and disbursing officers.
39 Stat. 166. 10 U. S. C. § 2 *et seq.* *Ante*, p. 87.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments made prior to July 1, 1942, out of moneys appropriated under the provisions of the National Defense Act, for the support of the National Guard

of the several States, Territories, and the District of Columbia which now stand disallowed or would hereafter be disallowed, but for this Act, by reason of lack of adequate or correct supporting vouchers and documents, are hereby ratified and validated as to the United States property and disbursing officers making the same, in such amounts only as are found and determined by the Comptroller General of the United States to be without substantial evidence of fraud or criminality or of timely knowledge of such fraud or criminality on the part of the United States property and disbursing officer involved and to have been actually expended in good faith or under bona fide contract (1) for services which in fact have been rendered or (2) for facilities which in fact have been furnished to the United States and its agencies including the National Guard; all items so found shall be passed to credit in the accounts of the property and disbursing officers involved, and any settlement based thereon shall not be reopened as against any such officer in the absence of new evidence of fraud or criminality: *Provided*, That nothing herein shall be construed to prohibit recovery from any payee of public moneys illegally or erroneously paid to such payee or to preclude the recovery from any such property and disbursing officer or his surety of any balance found due the Government under a settlement made as herein provided.

Approved June 19, 1948.

[CHAPTER 511]

AN ACT

June 19, 1948
[S. 1783]
[Public Law 680]

To provide for retention in the service of certain disabled Army and Air Force personnel, and for other purposes.

Disabled officers, Army and Air Force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the President is authorized and directed to retain in service disabled officers, warrant officers, and flight officers of the Army and the Air Force of the United States until their treatment for physical reconstruction has reached a point where they will not be further benefited by retention in a military hospital or in the military service.

Approved June 19, 1948.

[CHAPTER 512]

AN ACT

June 19, 1948
[S. 1790]
[Public Law 681]

To amend the Act of Congress entitled "An Act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching eighteen years of age for the purpose of computing longevity pay, or for other pay purposes", approved March 6, 1946.

Army, Air Force, etc. Service credit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching eighteen years of age for the purpose of computing longevity pay, or for other pay purposes", approved March 6, 1946 (Public Law 309, Seventy-ninth Congress), is amended by inserting immediately following "Army," the words "Air Force,".

60 Stat. 32.
37 U. S. C. § 103b and note.

(b) Section 2 of such Act is amended to read as follows: "The provisions of this Act shall be effective from June 1, 1942."

Effective date.

Approved June 19, 1948.

[CHAPTER 513]

AN ACT

June 19, 1948
[S. 1791]
[Public Law 682]

To transfer certain lands at Camp Phillips, Kansas, to the Department of the Army.

Camp Phillips, Kans.
Transfer of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all land owned by the United States in section 7, township 15 south, range 3 west of the sixth principal base and meridian, containing approximately six hundred and forty acres, together with the buildings, improvements, and facilities located thereon, which comprised the hospital area at Camp Phillips, Kansas, and now under the control and jurisdiction of the Veterans' Administration, is hereby transferred, without reimbursement of funds, to the jurisdiction of the Department of the Army.

Approved June 19, 1948.

[CHAPTER 514]

AN ACT

June 19, 1948
[S. 1795]
[Public Law 683]

To repeal section 1 of the Act of April 20, 1874, prescribing regulations governing inquiries to be made in connection with disbursements made by disbursing officers of the Army (18 Stat. 33; 10 U. S. C. 174).

Repeal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 20, 1874 (18 Stat. 33; 10 U. S. C. 174), is hereby repealed.

Approved June 19, 1948.

[CHAPTER 515]

AN ACT

June 19, 1948
[S. 1861]
[Public Law 684]

To amend the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service.

Postal service.
Salary of employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 14 of the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, as amended, is amended to read as follows:

59 Stat. 450.
39 U. S. C. § 864 (1).

Temporary employees, custodial service.

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of one year's satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of twelve months' satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position: *Provided*, That no temporary employee shall be paid at a rate higher than that provided herein for the highest automatic grade of the position in which he is employed: *Provided further*, That when a temporary employee is appointed to a regular position in the custodial service, the employee shall be assigned to a salary grade corresponding to his salary as a temporary employee at the time of such appointment. Any fractional part of a year's

Limitation on salary.

Appointment to regular position.

Fractional year.

temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position."

Credit of temporary service.

SEC. 2. Any period of continuous satisfactory service as a temporary employee in the custodial service performed by any such temporary employee prior to the effective date of this Act shall be creditable for a promotion to the rates of pay of grade 2 of the position in which such temporary employee is employed.

Effective date.

SEC. 3. This Act shall become effective at the beginning of the quarter following the date of enactment.

Approved June 19, 1948.

[CHAPTER 516]

AN ACT

To restore certain lands to the town site of Wadsworth, Nevada.

June 19, 1948
[S. 1871]
[Public Law 685]

Wadsworth, Nev. Restoration of certain land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those portions of the town site of Wadsworth, Washoe County, Nevada, which were added to the Pyramid Lake Indian Reservation by order of the Acting Secretary of the Interior, dated January 12, 1939, are hereby restored to and made a part of such town site. All proceeds from the disposition of lots within the lands restored to the town site of Wadsworth by this Act, which may be sold at a price of not less than $25 per lot, provided such sale be approved by the Pyramid Lake Paiute Tribal Council, shall be deposited in the Treasury of the United States to the credit of the Pyramid Lake Paiute Tribe of Indians of the Pyramid Lake Indian Reservation, Nevada.

Approved June 19, 1948.

[CHAPTER 517]

AN ACT

To convey certain land to the city of Pierre, South Dakota.

June 19, 1948
[S. 1925]
[Public Law 686]

Pierre, S. Dak. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the city of Pierre, South Dakota, all of the rights, title, and interest of the United States in and to the land described as all of blocks 1, 2, 3, and 4, Yaple's addition to the town, now city of Pierre, and lots 5 to 12 of block 23 and all of block 34, Ash's second addition to the town, now city of Pierre, South Dakota.

Approved June 19, 1948.

[CHAPTER 518]

AN ACT

To increase the maximum travel allowance for railway postal clerks and substitute railway postal clerks.

June 19, 1948
[S. 2152]
[Public Law 687]

Railway postal clerks. Travel allowance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (m) and (r) of section 16 of the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, as amended, are amended by striking out "$4 per day" and inserting in lieu thereof "$6 per day".

59 Stat. 454, 455. 39 U. S. C. § 866 (m), (r).

Approved June 19, 1948.

[CHAPTER 519]

AN ACT

June 19, 1948
[S. 2251]
[Public Law 688]

To authorize the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Illinois.

Great Lakes, Ill., naval hospital.
Construction of recreational park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to permit the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Illinois, for the convenience and pleasure of the patients of that hospital.

Approval of site.

SEC. 2. The site of the recreational park and its construction shall be subject to the approval of the Secretary of the Navy. The construction of the recreational park and all work performed in connection therewith shall be without cost to the United States.

Unconditional gift to U. S.

SEC. 3. Upon completion of the recreational park the Secretary of the Navy is authorized to accept it as an unconditional gift to the United States from the Army and Navy Union, United States of America, Department of Illinois.

Approved June 19, 1948.

[CHAPTER 520]

AN ACT

June 19, 1948
[S. 2288]
[Public Law 689]

To amend the Lanham Act so as to permit the sale of certain permanent war housing thereunder to veterans at a purchase price not in excess of the cost of construction.

Defense housing.
Sale to veterans.

56 Stat. 12.
42 U. S. C. § 1524; Supp. I, § 1524 note.
Post, p. 1064.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That whenever the Administrator disposes of any permanent house or structure containing not more than four family dwelling units under authority of this Act by offering such house or structure for sale on an individual basis, he shall, when the purchaser is a veteran buying for his own occupancy, sell any such house or structure (1) at a purchase price not in excess of the apportioned cost of such house or structure and of the land and appurtenances allocated thereto, together with the apportioned share of the cost of all utilities and other facilities provided for and common to the project of which such house or structure is a part, or (2) at a purchase price not in excess of such considered full market value of such house or structure and the land, appurtenances, utilities and facilities allocated thereto, whichever purchase price is the less."

Approved June 19, 1948.

[CHAPTER 521]

AN ACT

June 19, 1948
[S. 2400]
[Public Law 690]

To authorize the President, in his discretion, to permit the stoppage of work on certain combatant vessels.

Combatant vessels.
Stoppage of work.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of title III of the Second Supplemental Surplus Appropriation Rescission Act, 1946, under the heading "Increase and replacement of naval vessels" (60 Stat. 227), in the discretion of the President shall not

apply to the following vessels: Kentucky (BB66), Hawaii (CB3), Wagner (DE539), Vandiver (DE540), Castle (DD720), Woodrow R. Thompson (DD721), Lansdale (DD766), Seymour D. Owens (DD767), Hoel (DD768), Abner Read (DD769), Seaman (DD791), Unicorn (SS436), and Walrus (SS437).

Approved June 19, 1948.

[CHAPTER 522]

AN ACT

To amend the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940, as amended.

June 19, 1948
[S. 2406]
[Public Law 691]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940 (54 Stat. 739), as amended, is amended to read as follows:

Motor-vehicle liens, D. C.

D. C. Code, Supp. VI, § 40-712.

"SEC. 12. The fee for recording liens or assignments of liens upon a certificate shall be the sum of $1 for each lien or assignment of lien on each motor vehicle or trailer contained in the instrument, which fee shall include the charge for recording the release of such lien."

Fee for recording liens.

SEC. 2. Notwithstanding the provisions of section 12 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940, as amended by the first section of this Act, there shall be a fee of 50 cents for recording the release of a lien which is recorded under the provisions of such Act of July 2, 1940, as amended, prior to the date of enactment of this Act and no assignment of which is recorded under the provisions of such Act of July 2, 1940, as amended, after the date of enactment of this Act.

Fee for recording release of liens.

Approved June 19, 1948.

[CHAPTER 523]

AN ACT

To amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes.

June 19, 1948
[S. 2454]
[Public Law 692]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401), is amended by changing the number of paragraph (31) to (32), and by inserting, immediately following paragraph (30), the following new paragraph (31):

Civil Aeronautics Act of 1938, amendment.

"(31) 'Spare parts' means parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto."

"Spare parts."

SEC. 2. Paragraph (17) of section 1 of such Act is amended to read as follows:

52 Stat. 978.
49 U. S. C. § 401 (17).

"(17) 'Conditional sale' means (a) any contract for the sale of an aircraft, aircraft engine, propeller, appliance, or spare part under which possession is delivered to the buyer and the property is to vest in the buyer at a subsequent time, upon the payment of part or all

"Conditional sale."

of the price, or upon the performance of any other condition or the happening of any contingency; or (b) any contract for the bailment or leasing of an aircraft, aircraft engine, propeller, appliance, or spare part, by which the bailee or lessee contracts to pay as compensation a sum substantially equivalent to the value thereof, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner thereof upon full compliance with the terms of the contract. The buyer, bailee, or lessee shall be deemed to be the person by whom any such contract is made or given."

52 Stat. 1006.

SEC. 3. Section 503 of such Act (U. S. C., title 49, sec. 523) is amended to read as follows:

Establishment of recording system.

"SEC. 503. (a) The Administrator shall establish and maintain a system for the recording of each and all of the following:

"(1) Any conveyance which affects the title to, or any interest in, any civil aircraft of the United States;

"(2) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any specifically identified aircraft engine or engines of seven hundred and fifty or more rated take-off horsepower for each such engine or the equivalent of such horsepower, and also any assignment or amendment thereof or supplement thereto;

"(3) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any aircraft engines, propellers, or appliances maintained by or on behalf of an air carrier certificated under section 604 (b) of this Act for installation or use in aircraft, aircraft engines, or propellers, or any spare parts maintained by or on behalf of such an air carrier, which instrument need only describe generally by types the engines, propellers, appliances, and spare parts covered thereby and designate the location or locations thereof; and also any assignment or amendment thereof or supplement thereto.

52 Stat. 1010.
49 U. S. C. § 554 (b).

Recording of release, etc.

"(b) The Administrator shall also record under the system provided for in subsection (a) of this section any release, cancellation, discharge, or satisfaction relating to any conveyance or other instrument recorded under said system.

Validity of conveyance.
Supra.

"(c) No conveyance the recording of which is provided for by section 503 (a) (1) made on or after August 22, 1938, and no instrument the recording of which is provided for by section 503 (a) (2) or section 503 (a) (3) made on or after the effective date of this section, shall be valid in respect of such aircraft, aircraft engine or engines, propellers, appliances, or spare parts against any person other than the person by whom the conveyance or other instrument is made or given, his heir or devisee, or any person having actual notice thereof, until such conveyance or other instrument is filed for recordation in the office of the Administrator. For the purposes of this subsection (c), such conveyance or other instrument shall take effect from the time and date of its filing for recordation, and not from the time and date of its execution.

Effective date of conveyance.

"(d) Each conveyance or other instrument recorded by means of or under the system provided for in subsection (a) or (b) of this section shall from the time of its filing for recordation be valid as to all persons without further or other recordation, except that an instrument recorded pursuant to section 503 (a) (3) shall be effective only with respect to those of such items which may from time to time be

Supra.

situated at the designated location or locations and only while so situated: *Provided*, That an instrument recorded under section 503 (a) (2) shall not be affected as to the engine or engines specifically identified therein, by any instrument theretofore or thereafter recorded pursuant to section 503 (a) (3).

Acknowledgment before notary public.

"(e) No conveyance or other instrument shall be recorded unless it shall have been acknowledged before a notary public or other officer authorized by the law of the United States, or of a State, Territory, or possession thereof, or the District of Columbia, to take acknowledgement of deeds.

Index of conveyances.

"(f) The Administrator shall keep a record of the time and date of the filing of conveyances and other instruments with him and of the time and date of recordation thereof. He shall record conveyances and other instruments filed with him in the order of their reception, in files to be kept for that purpose, and indexed according to—

"(1) the identifying description of the aircraft or aircraft engine, or in the case of an instrument referred to in section 503 (a) (3), the location or locations specified therein; and

"(2) the names of the parties to the conveyance or other instrument.

Regulations.

"(g) The Administrator is authorized to provide by regulation for the endorsement upon certificates of registration, or aircraft certificates, of information with respect to the ownership of the aircraft for which each certificate is issued, the recording of discharges and satisfactions of recorded instruments, and other transactions affecting title to or interest in aircraft, aircraft engines, propellers, appliances, or parts, and for such other records, proceedings, and details as may be necessary to facilitate the determination of the rights of parties dealing with civil aircraft of the United States, aircraft engines, propellers, appliances, or parts.

Unrecorded ownership.

"(h) The person applying for the issuance or renewal of an airworthiness certificate for an aircraft with respect to which there has been no recordation of ownership as provided in this section shall present with his application such information with respect to the ownership of the aircraft as the Administrator shall deem necessary to show the persons who are holders of property interests in such aircraft and the nature and extent of such interests."

Approved June 19, 1948.

[CHAPTER 524]

AN ACT

June 19, 1948
[S. 2592]
[Public Law 693]

To authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico, in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings.

Puerto Rico.
Return of land acquired for national-defense purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are individually authorized, in accordance with the express provisions of the conveyances to the United States Government or the final judgments in condemnation proceedings filed at the request of the Secretary of the Army in the Federal District Court for Puerto Rico, to convey all or any part of the land in Puerto Rico, which was acquired for national defense purposes, when such land or part thereof is no longer required for such purposes. The improvements constructed by the Departments of the Army, Navy, or Air Force, upon

Disposal of improvements.

such property will be disposed of by the Secretaries of the Army, Navy, or Air Force prior to the time such property is conveyed, in accordance with the best interests of the United States Government: *Provided*, That no such property shall be conveyed or otherwise disposed of without the prior joint approval thereof of the Secretaries of the Army, Navy, Air Force, and Treasury.

Approval of Secretaries.

Approved June 19, 1948.

[CHAPTER 525]

AN ACT

June 19, 1948
[S. 2643]
[Public Law 694]

To amend the Act entitled "An Act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939.

Hospitals, D. C.
Lien for moneys due.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939, is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia,".

53 Stat. 990.
D. C. Code § 38-301.

D. C. Code § 38-303.

SEC. 2. Section 3 of such Act is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia,".

D. C. Code § 38-304.

SEC. 3. Section 4 of such Act is amended by inserting after the word "body" a comma and the following: "and of any agency of the United States or the District of Columbia,".

D. C. Code § 38-305.

SEC. 4. Section 5 of such Act is amended by inserting after the word "institution" the words "or agency".

Approved June 19, 1948.

[CHAPTER 526]

AN ACT

June 19, 1948
[H. R. 238]
[Public Law 695]

For the extension of admiralty jurisdiction

Admiralty jurisdiction.
Extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the admiralty and maritime jurisdiction of the United States shall extend to and include all cases of damage or injury, to person or property, caused by a vessel on navigable water, notwithstanding that such damage or injury be done or consummated on land.

In any such case suit may be brought in rem or in personam according to the principles of law and the rules of practice obtaining in cases where the injury or damage has been done and consummated on navigable water: *Provided*, That as to any suit against the United States for damage or injury done or consummated on land by a vessel on navigable waters, the Public Vessels Act or Suits in Admiralty Act, as appropriate, shall constitute the exclusive remedy for all causes of action arising after the date of the passage of this Act and for all causes of action where suit has not been hitherto filed under the Federal Tort Claims Act: *Provided further*, That no suit shall be filed against the United States until there shall have expired a period of six months after the claim has been presented in writing to the Federal agency owning or operating the vessel causing the injury or damage.

43 Stat. 1112; 41 Stat. 525.
46 U. S. C. §§ 781-790, 741-752.

60 Stat. 842.
28 U. S. C. §§ 921, 922, 931-934, 941-945.
Post, p. 1008.

Approved June 19, 1948.

[CHAPTER 527]

AN ACT

June 19, 1948
[H. R. 2273]
[Public Law 696]

To amend the Act of May 29, 1944, providing for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act approved May 29, 1944, to provide for the recognition of the services of civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal is amended to read as follows:

Panama Canal.
Recognition of civilian services.
58 Stat. 259.
48 U. S. C. § 1373d.

"SEC. 5. No person who has been or shall hereafter be awarded an annuity under the provisions of this Act shall be denied an annuity to which he may otherwise be entitled under the provisions of any law providing for a contributory system of retirement for civilian officials and employees of the United States or the District of Columbia Government: *Provided*, That in computing the annuity under such contributory system of retirement of any person receiving an annuity under this Act, no special additional benefit shall be granted for service performed during the construction of the Panama Canal."

Annuities.

SEC. 2. This Act shall be effective from and after May 29, 1944.

Effective date.

Approved June 19, 1948.

[CHAPTER 528]

AN ACT

June 19, 1948
[H. R. 2721]
[Public Law 697]

To amend the Act of March 10, 1934, entitled "An Act to promote the conservation of wildlife, fish, and game, and for other purposes", as amended by the Act approved August 14, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 10, 1934 (48 Stat. 401), as amended by the Act approved August 14, 1946 (Public Law 732, Seventy-ninth Congress), is hereby amended to include the following new section:

Conservation of wildlife.
60 Stat. 1080.
16 U. S. C. §§ 661–666c.

"SEC. 5A. In the management of existing facilities (including locks, dams, and pools) in the Mississippi River between Rock Island, Illinois, and Minneapolis, Minnesota, administered by the United States Corps of Engineers of the Department of the Army, that Department is hereby directed to give full consideration and recognition to the needs of fish and other wildlife resources and their habitat dependent on such waters, without increasing additional liability to the Government, and, to the maximum extent possible without causing damage to levee and drainage districts, adjacent railroads and highways, farm lands, and dam structures, shall generally operate and maintain pool levels as though navigation was carried on throughout the year."

Approved June 19, 1948.

[CHAPTER 529]

AN ACT

June 19, 1948
[H. R. 3402]
[Public Law 698]

To extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 (e) of the Act, as it relates to the bridge across the Missouri River at Rulo, Nebraska, entitled "An Act to authorize

Missouri River bridge at Rulo, Nebr.
Revenue bonds.

the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States", approved March 4, 1933, is amended by striking out "twenty years" and inserting in lieu thereof "thirty years"; and the second sentence of section 5 (e) of said Act is amended by striking out the language "or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management".

47 Stat. 1555.

Approved June 19, 1948.

[CHAPTER 530]

AN ACT

June 19, 1948
[H. R. 3433]
[Public Law 699]

To amend the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, and for other purposes.

Fire Department, D. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes", approved June 20, 1906, as amended (D. C. Code, 1940 edition, section 4–404), is amended to read as follows:

34 Stat. 314.

Composition.

"SEC. 3. That the Fire Department of the District of Columbia shall be composed of and operated upon a two-platoon system and the personnel thereof shall consist of one chief engineer; such number of deputy chief engineers (all of whom shall have had at least five years' experience in some regularly organized municipal fire department) and battalion chief engineers as said Commissioners may deem necessary from time to time within the appropriations made by Congress; one fire marshal; such number of deputy fire marshals, inspectors, and clerks as said Commissioners may deem necessary from time to time within the appropriations made by Congress; such number of captains, lieutenants, and sergeants as said Commissioners may deem necessary from time to time within the appropriations made by Congress; one superintendent of machinery; and such number of assistant superintendents of machinery, pilots, marine engineers, assistant marine engineers, marine firemen, privates of class six, privates of class five, privates of class four, privates of class three, privates of class two, privates of class one, hostlers, and laborers as said Commissioners may deem necessary from time to time within the appropriations made by Congress: *Provided*, That the chief engineer of the Fire Department of the District of Columbia shall have the right to call for and obtain the services of any veterinary surgeon employed by said District who at the time shall not be engaged in a more emergent veterinary service for said District: *Provided further*, That the police surgeons of said District are required to attend, without charge, the members of the Fire Department of said District, and examine all applicants for appointment to, promotion in, and retirement, from said Fire Department."

Veterinary surgeons.

Police surgeons.

Establishment of workweek.

SEC. 2. (a) The Commissioners of the District of Columbia are authorized and directed to (1) establish a workweek of not more than seventy hours for officers and members of the Fire Department of the District of Columbia on night-platoon duty and of not more than fifty hours for such officers and members on day-platoon duty, and (2) require that the hours of work in each such workweek be performed within a period of five of any seven consecutive days. The two days off duty in each seven-day period to which each officer and member of

Off-duty period.

the Fire Department is entitled under this subsection shall be in addition to his annual leave and sick leave allowed by law.

(b) Notwithstanding the provisions of subsection (a), whenever the Commissioners declare that an emergency exists of such a character as to necessitate the continuous service of all officers and members of the Fire Department, it shall be the duty of the chief engineer of the Fire Department to suspend and discontinue the granting of such two days off in seven during the continuation of such emergency. Declaration of emergency.

SEC. 3. This Act shall take effect one hundred and eighty days after funds have been appropriated and made available for the additional personnel necessary to carry out the purposes of this Act. Effective date.

Approved June 19, 1948.

[CHAPTER 531]

AN ACT

To authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel Hygiene.

June 19, 1948
[H. R. 3883]
[Public Law 700]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized and directed to transfer to the Territory of Alaska the title of the United States to a certain Army vessel, known as the Hygiene, listed in the records of the Department of the Army as Army vessel FS-35, and which the Department of the Army has heretofore made available on a temporary basis for use by the Alaska Territorial Health Service. The transfer of said vessel shall be without charge to the Territory of Alaska. Army vessel Hygiene.

Approved June 19, 1948.

[CHAPTER 532]

AN ACT

To increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes.

June 19, 1948
[H. R. 3915]
[Public Law 701]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 7 of the Act entitled "An Act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas, and for other purposes", approved May 17, 1939 (53 Stat. 747), as amended, is hereby amended to provide that "Federal Works Administrator" shall be substituted for "Secretary of Agriculture" wherever the latter term appears in said paragraph and that the membership of the Commission created by section 7 of said Act shall be increased to eighteen by the appointment of twelve additional members, six of said additional members to be residents and citizens of the State of Mississippi, and the other six to be residents and citizens of the State of Arkansas. Arkansas-Mississippi Bridge Commission. Increase in membership. 53 Stat. 750.

SEC. 2. The times for commencing and completing the construction of such bridge are hereby further extended one and three years, respectively, from the date of the enactment of this Act. Time extension.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved. Rights reserved.

Approved June 19, 1948.

[CHAPTER 533]

AN ACT

June 19, 1948
[H. R. 4244]
[Public Law 702]

To authorize assistance to certain veterans in acquiring specially adapted housing which they require by reason of the nature of their service-connected disabilities.

Disabled veterans. Specially adapted housing.
48 Stat. 8.
38 U. S. C. § 701; Supp. I, § 701 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, title I, Public Law Numbered 2, Seventy-third Congress, approved March 20, 1933, as amended, is hereby amended by adding at the end thereof a new subsection known as subsection (g) and to read as follows:

38 U. S. C. note foll. § 739; Supp I, note foll. § 733.

"(g) Any person who served in the active military or naval service of the United States who is entitled to compensation under the provisions of Veterans Regulation Numbered 1 (a), as amended, for permanent and total service-connected disability due to spinal-cord disease or injury with paralysis of the legs and lower part of the body shall be entitled to assistance in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the person's disability, and necessary land therefor, subject to the provisions and limitations of Veterans Regulation Numbered 1 (a), as amended, part IX."

38 U. S. C. note foll. § 739; Supp. I, note foll. § 733.

SEC. 2. Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding at the end thereof a new part to be known as part IX and to read as follows:

"PART IX

Eligibility for housing with special fixtures.

"1. The Administrator of Veterans' Affairs is authorized, under such regulations as he may prescribe, to assist any person (hereinafter referred to as 'veteran') who served in the active military or naval service of the United States, who is entitled to compensation under the provisions of this regulation for permanent and total service-connected disability due to spinal-cord disease or injury with paralysis of the legs and lower part of the body in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor: *Provided*, That the regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (a) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (b) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (c) that the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

Limitations.

"2. The assistance authorized by paragraph 1 shall be limited in the case of any veteran to one housing unit, and necessary land therefor, and shall be afforded under one of the following plans, at the option of the veteran, but shall not exceed $10,000 in any one case—

"(a) where the veteran elects to construct a housing unit on land to be acquired by him, the Administrator shall pay not to exceed 50 per centum of the total cost to the veteran of (1) the housing unit and (2) the necessary land upon which it is to be situated;

"(b) where the veteran elects to construct a housing unit on land acquired by him prior to application for assistance under this part, the Administrator shall pay not to exceed the smaller of the following sums: (1) 50 per centum of the total cost to the veteran of the housing unit and the land necessary for such housing unit, or (2) 50 per centum of the cost to the veteran of the housing unit plus the full amount of the unpaid balance, if any, of the cost to the veteran of the land necessary for such housing unit;

"(c) where the veteran elects to remodel a dwelling, which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this part, the Administrator shall pay not to exceed the total of (1) 50 per centum of the cost to the veteran of such remodeling, plus (2) the smaller of the following sums: (A) 50 per centum of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (B) the full amount of the unpaid balance, if any, of the cost to the veteran of such dwelling and the necessary land upon which it is situated; and

"(d) where the veteran has acquired a suitable housing unit, the Administrator shall pay not to exceed the smaller of the following sums: (1) 50 per centum of the cost to the veteran of such housing unit and the necessary land upon which it is situated, or (2) the full amount of the unpaid balance, if any, of the cost to the veteran of such housing unit and the necessary land upon which it is situated.

Model plans and specifications.

"3. The Administrator of Veterans' Affairs is authorized to furnish to veterans eligible for assistance under this part, without cost to the veterans, model plans and specifications of suitable housing units.

"4. Any person who accepts the benefits of this part shall not by reason thereof be denied the benefits of title III of the Servicemen's Readjustment Act of 1944, as amended.

58 Stat. 291.
38 U. S. C. §§ 694-694j; Supp. I, §§ 694, 694h notes.
Post, p. 1275.

"5. The Government of the United States shall have no liability in connection with any housing unit, or necessary land therefor, acquired under the provisions of this part."

Appropriation authorized.

SEC. 3. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

Approved June 19, 1948.

[CHAPTER 534]

AN ACT

June 19, 1948
[H. R. 4455]
[Public Law 703]

To authorize the conveyance by the Secretary of the Interior to the Richmond, Fredericksburg and Potomac Railroad Company, of certain lands lying in the bed of Roaches Run, Arlington County, Virginia, and for other purposes.

Richmond, Fredericksburg and Potomac Railroad Co.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant and convey to the Richmond, Fredericksburg and Potomac Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Virginia, its successors or assigns, all of its right, title, and interest to a tract of land comprising five and thirty-three hundredths acres, located in Roaches Run, Arlington County, Virginia, more particularly described as follows:

Beginning at the point where the 1863 high-tide line intersects the southeasterly line of the Richmond, Fredericksburg and Potomac Railroad industrial right-of-way, said point being also on the easterly line of the property formerly belonging to Mary E. Cullinane, now Richmond, Fredericksburg and Potomac Railroad; thence, along said line of said industrial right-of-way by a curve to the right with a radius of eighteen hundred and sixty feet, an arc distance of fifty and fifty-three one-hundredths feet (the chord of which bears north forty-five degrees fifty-nine minutes twenty-seven seconds east fifty and fifty-two one-hundredths feet); thence, following along the line of property belonging to the Richmond, Fredericksburg and Potomac Railroad, the following courses and distances: South seventy-six degrees thirty-eight minutes thirty seconds east one hundred and thirty-five and ninety-seven one-hundredths feet; south sixty-eight degrees thirty-

two minutes ten seconds east eighty-eight and twenty-five one-hundredths feet; south thirty-five degrees ten minutes ten seconds east three hundred and four and twenty-five one-hundredths feet; south thirty-six degrees twenty-five minutes no seconds east one hundred and two and ten one-hundredths feet; south fifty-one degrees forty-six minutes forty seconds east one hundred and one feet; south twenty-one degrees eight minutes forty seconds east fifty-one and forty-eight one-hundredths feet to the westerly main line right-of-way line of the railroad; thence, by a curve to the left with a radius of five thousand eight hundred and four and sixty-five one-hundredths feet, an arc distance of three hundred and fifty-two and ninety-five one-hundredths feet (the chord of which bears south twenty-one degrees fifty-seven minutes fifty-seven seconds west three hundred and fifty-two and ninety one-hundredths feet); thence north forty-nine degrees twenty-one minutes fifty-one seconds west twenty-six and sixty-six one-hundredths feet; thence, by a curve to the left with a radius of five thousand eight hundred and twenty-nine and sixty-five one-hundredths feet, an arc distance of one hundred and thirty-three and twenty-nine one-hundredths feet (the chord of which bears south nineteen degrees thirty-nine minutes thirty-seven seconds west one hundred and thirty-three and twenty-eight one-hundredths feet); thence, leaving said main-line right-of-way of the railroad and running along the 1863 high-tide line the following courses and distances: North twenty-one degrees thirty-three minutes fifty seconds west seventy and fifty-nine one-hundredths feet; north twenty-three degrees thirty-five minutes forty seconds west three hundred and forty-one and fifty-six one-hundredths feet; north twenty-four degrees forty-three minutes no seconds west three hundred and eight and fifty-seven one-hundredths feet; and north twenty-one degrees fourteen minutes thirty seconds west two hundred and sixty-four and forty-one one-hundredths feet, to the point of beginning; containing five and thirty-three one-hundredths acres.

Condition.

Said conveyance shall be made upon the condition that the Richmond, Fredericksburg and Potomac Railroad Company shall make payment for said land at its appraised price as fixed by the Secretary of the Interior within six months after the approval of this Act: *Provided*, That there shall be reserved to the United States the right to the continuance of adequate drainage from the Pentagon Building through said land, either by open ditch or by a culvert constructed without cost to the Federal Government; the net unobstructed cross-sectional area of such culvert shall not be less than forty-eight square feet, together with suitable appurtenances such as access manholes and gates, and the grades of which shall be approved by the Public Buildings Administration of the Federal Works Agency; and shall be constructed and maintained in a manner satisfactory to the Public Buildings Administration.

Drainage rights of U. S.

Approved June 19, 1948.

[CHAPTER 535]

June 19, 1948
[H. R. 4688]
[Public Law 704]

AN ACT

To enlarge the Gettysburg National Cemetery.

Gettysburg National Cemetery. Additional land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by purchase, condemnation, or otherwise, the following-described land in the Borough of Gettysburg, Adams County, Pennsylvania:

Beginning at a point at the corner of South Washington Street (also known as Taneytown Road) and the United States Government National Cemetery; thence along said street north one and one-half degrees west three hundred and fifty-six feet to a point; thence north fifty-seven degrees east three hundred and twenty-one feet to a point at the corner of lands of Paul H. Ketterman; thence north fifty-seven degrees west one hundred and seventy-nine and three-tenths feet to a point at corner of lands of Paul H. Ketterman on Steinwehr Avenue; thence along Steinwehr Avenue north thirty-three degrees east one hundred and seventy-nine and two-tenths feet to a point at corner of lands of Thomas J. Winebrenner and Son; thence south thirty-five degrees east two hundred and thirty-six and six-tenths feet to a point at corner of lands of Emma Noel Estate; thence north fifty-nine degrees east one hundred and thirty-seven feet to a point at corner of lands of Emma Noel Estate and lands of Harry Koch; thence south thirty degrees east one hundred and twenty-nine and five-tenths feet to a point; thence north fifty-seven degrees east two hundred feet to a point on Baltimore Street; thence south thirty degrees east along Baltimore Street fifty feet to a point at corner of lands of Margaret E. Kissinger; thence south fifty-seven degrees west three hundred and twelve feet to a point; thence south thirty degrees east one hundred and twenty and five-tenths feet to a point along the north side of United States Government National Cemetery; thence along same south fifty-seven degrees west six hundred and sixteen feet to a point, the place of beginning, containing five acres and four perches, more or less.

Burial of veterans of World Wars I and II.

SEC. 2. The land acquired pursuant to the first section of this Act shall constitute a part of the Gettysburg National Cemetery and shall be reserved for the burial of World War I and World War II veterans and such other persons as may be entitled to interment in national cemeteries.

Appropriation authorized.

SEC. 3. There is authorized to be appropriated not to exceed the sum of $10,000 to carry out the purposes of this Act.

Approved June 19, 1948.

[CHAPTER 536]

AN ACT

June 19, 1948
[H. R. 4874]
[Public Law 705]

To transfer Pelican Rock in Crescent City Harbor, Del Norte County, California, to that county.

Pelican Rock Island, Calif. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the island known as Pelican Rock, containing an estimated area of about one acre, and situated in the Pacific Ocean in the northern portion of section 33, township 16 north, range 1 west, Humboldt meridian, California, approximately a quarter of a mile north of Whaler Island, shown to be located in latitude forty-one degrees forty-four minutes forty seconds north and longitude one hundred and twenty-four degrees eleven minutes ten seconds west, on United States Coast and Geodetic Survey chart entitled Saint George Reef and Crescent City, California, is hereby conveyed to the county of Del Norte, State of California, for the purpose of a public wharf or for such other purposes as it may be of use in the construction, maintenance, and operation of Crescent City Harbor.

Approved June 19, 1948.

[CHAPTER 537]

AN ACT

June 19, 1948
[H. R. 5065]
[Public Law 706]

To amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1700 (a) (1) of the Internal Revenue Code (relating to the tax on amounts paid for admission) is amended by adding at the end thereof a new sentence as follows: "Subject to such regulations as the Commissioner, with the approval of the Secretary, shall prescribe, no tax shall be imposed in the case of admission free of charge of a hospitalized member of the military, naval, or air forces of the United States or of a person hospitalized as a veteran by the Federal Government in a Federal, State, municipal, private, or other hospital or institution, except when such member or veteran is on leave or furlough."

53 Stat. 189.
26 U. S. C., Supp. I, § 1700 (a) (1).

Effective date.

SEC. 2. The amendment made by this Act shall be effective on and after the first day of the first month which commences more than twenty days after the enactment of this Act.

Approved June 19, 1948.

[CHAPTER 538]

AN ACT

June 19, 1948
[H. R. 5112]
[Public Law 707]

To amend the Civil Service Retirement Act of May 29, 1930, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 5 of section 3A of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

60 Stat. 850.
5 U. S. C. § 693–1.

Member of Congress in armed forces.

"Any Member of Congress, who during any war or time of national emergency as proclaimed by the President or declared by the Congress, left or leaves his office to enter the armed forces of the United States shall, for the purpose of this paragraph, be deemed to have continued as a Member of Congress for such period of military service."

Approved June 19, 1948.

[CHAPTER 539]

AN ACT

June 19, 1948
[H. R. 5174]
[Public Law 708]

To authorize Commodity Credit Corporation to make adjustment payments to certain producers of raw cane sugar in Puerto Rico and Hawaii.

Puerto Rico and Hawaii.
Raw cane sugar producers.

Whereas Commodity Credit Corporation entered into contracts with producers of 1945–1946 crop Puerto Rican raw cane sugar and 1946 crop Hawaiian raw cane sugar, and subsequently entered into a contract for the purchase of the 1946 and 1947 crops of Cuban raw cane sugar which required payments for 1946 crop Cuban raw cane sugar in excess of those made to the producers of Puerto Rican and Hawaiian sugar of the same crop, after making allowance for the duty and freight advantages of such producers; and

Whereas in connection with its contracts with Puerto Rican and Hawaiian producers for control of the succeeding crop of raw cane sugar from each of such areas, Commodity Credit Corporation made adjustment payments to producers in amounts designed to equalize the prices paid for Puerto Rican and Hawaiian raw cane sugar of the 1946 and 1947 crop years with those paid for Cuban raw cane sugar of the same crop years, but such adjustment payments were denied to the Honolulu Plantation Company, the Plazuela Sugar Company, Godreau, Godreau and Compania (Central Caribe), and

Wirshing and Cia, S. en C. (Central Boca Chica), since each of such companies were not engaged in the production of raw cane sugar in the crop year 1947 and were unable to contract with respect to sugar of the 1947 crop year: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commodity Credit Corporation is authorized and directed to make adjustment payments to the Plazuela Sugar Company, to Godreau, Godreau and Compania (Central Caribe) to Wirshing and Cia, S. en C. (Central Boca Chica) on each company's production of 1945–1946 crop Puerto Rican raw cane sugar, and to the Honolulu Plantation Company on its production of 1946 crop Hawaiian raw cane sugar, each of such payments to be made at the same rate and subject to the same conditions as adjustment payments made to other Puerto Rican and Hawaiian producers of raw cane sugar of such crops, irrespective of the failure of such producers (1) to produce raw cane sugar in any succeeding crop year, or (2) to enter into contracts with Commodity Credit Corporation with respect to such raw cane sugar. Commodity Credit Corporation may require such evidence as it may deem necessary in support of applications for payment made pursuant to the authorization herein contained.

Adjustment payments to certain companies.

Requirement of evidence.

Approved June 19, 1948.

[CHAPTER 540]

AN ACT

June 19, 1948
[H. R. 5344]
[Public Law 709]

To prevent retroactive checkage of retired pay in the cases of certain enlisted men and warrant officers appointed or advanced to commissioned rank or grade under the Act of July 24, 1941 (55 Stat. 603), as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no enlisted man or warrant officer appointed or advanced to temporary commissioned rank or grade under the provisions of the Act of July 24, 1941 (55 Stat. 603), as amended by the Act of February 21, 1946 (Public Law 305, Seventy-ninth Congress, 60 Stat. 26), whose retired pay was computed as authorized in section 8 of the Act of July 24, 1941 (55 Stat. 604), as amended by section 5 of the Act of August 10, 1946 (Public Law 720, Seventy-ninth Congress, 60 Stat. 995), or section 10 of the said 1941 Act (55 Stat. 605), as amended by section 8 of the Act of February 21, 1946 (60 Stat. 28), shall be subject to any retroactive checkage for retired pay received for or on account of services as a commissioned officer for any period prior to November 1, 1946, in contravention of section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U. S. C. 59a): *Provided*, That no disallowances in the accounts of disbursing officers shall be made for any such payments made prior to November 1, 1946, in contravention of section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended.

Retroactive checkage for retired pay.

34 U. S. C. §§ 350–350j; Supp. I, § 350g.

34 U. S. C., Supp. I, § 350g.

34 U. S. C. § 350i and note.

Payments prior to Nov. 1, 1946.

5 U. S. C. § 59a.

SEC. 2. Enlisted men and warrant officers appointed or advanced to commissioned rank or grade under the said Act of July 24, 1941, as amended, whose retired pay, computed as authorized by that Act as amended, was withheld or checked in whole or in part for any period prior to November 1, 1946, as being in contravention of section 212 of the Act of June 30, 1932, as amended, shall be entitled to receive such retired pay as so computed through October 31, 1946, the provisions of said section 212 of the Act of June 30, 1932, as amended, notwithstanding.

Retired pay.

55 Stat. 603.
34 U. S. C. §§ 350–350j; Supp. I, § 350g.

47 Stat. 406.
5 U. S. C. § 59a.

SEC. 3. Enlisted men and warrant officers heretofore or hereafter advanced to commissioned rank or grade on the retired list under

Restoration to former retired status.

55 Stat. 603.
34 U. S. C. §§ 350–350j; Supp. I, § 350g.

the said Act of July 24, 1941, as amended, shall, if application therefor is made to the Secretary of the Navy within three months from the date of approval of this Act or within three months after the date of advancement to commissioned rank or grade on the retired list, whichever is the later, and subject to the approval of the Secretary of the Navy, be restored to their former retired enlisted or warrant officer status, as the case may be, and shall thereafter be deemed to be enlisted or warrant officer personnel, as appropriate, for all purposes.

Applicability to Coast Guard.

SEC. 4. The provisions of this Act, except as may be necessary to adapt the same thereto, shall apply to personnel of the Coast Guard in relationship to the Coast Guard in the same manner and to the same extent as they apply to personnel of the Navy in relationship to the Navy: *Provided*, That the authority given to the Secretary of the Navy is hereby extended to the Secretary of the Treasury to be exercised with respect to the Coast Guard.

Approved June 19, 1948.

[CHAPTER 541]

AN ACT

June 19, 1948
[H. R. 5758]
[Public Law 710]

To amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters, and nieces and nephews, of deceased members and former members of the armed forces.

Armed Forces Leave Act of 1946, amendment.
60 Stat. 963, 965.
37 U. S. C. §§ 32, 35; Supp. I, § 35.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 2 and 6 of the Armed Forces Leave Act of 1946, as amended, are hereby amended as follows:

"Brother" and "sister."

(a) Section 2. At the end thereof add a new paragraph as follows:

"(h) The terms 'brother' and 'sister' include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption.".

Payment in event of death.

(b) Section 6. In paragraph (2) of subsection (a) delete "to such holder's surviving spouse and children, if any, in equal shares; and if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any", and insert in lieu thereof the following:

"(i) to such holder's surviving spouse and children, if any, in equal shares;

"(ii) if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any;

"(iii) if such holder leaves no surviving spouse, child, or parent, then in equal shares to such holder's surviving brothers and sisters, if any; and

"(iv) if such holder leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such holder's deceased brothers and sisters".

(c) Section 6. In subsection (b) delete "To such member's or former member's surviving spouse and children, if any, in equal shares; and if such member or former member leaves no surviving spouse or child or children, then in equal shares to his surviving parents, if any", and insert in lieu thereof the following:

"(i) to such member's or former member's surviving spouse and children, if any, in equal shares;

"(ii) if such member or former member leaves no surviving spouse or child or children, then in equal shares to such member's or former member's surviving parents, if any;

"(iii) if such member or former member leaves no surviving spouse, child, or parent, then in equal shares to such member's

or former member's surviving brothers and sisters, if any; and

"(iv) if such member or former member leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such member's or former member's deceased brothers and sisters".

Payment upon request.

SEC. 2. A sum equal to the amount of any bond or check heretofore covered into the general fund of the Treasury, for lack of survivors pursuant to section 6, paragraph (2) of subsection (a), of the Armed Forces Leave Act, shall be payable, upon request, to any survivor entitled thereto under the provisions of said section 6, paragraph (2) of subsection (a), as amended by this Act: *Provided*, That in any case where payment under the provisions of section 6, paragraph 2, of subsection (a) has been refused to a person not a survivor, as defined by the Armed Forces Leave Act of 1946 as heretofore in force, and the bond has not been retired or the proceeds of the check been paid into the general fund, payment shall be made upon application by those persons now entitled to payment under the provisions of section 6, paragraph 2, of subsection (a) as amended by this Act.

Prior refusal of payment.

Effective date.

SEC. 3. The provisions of this Act shall be effective from August 9, 1946.

Approved June 19, 1948.

[CHAPTER 542]

AN ACT

June 19, 1948
[H. R. 5808]
[Public Law 711]

To continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children of the District of Columbia.

Day nurseries and nursery schools, D. C. Continuation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize and direct the Board of Public Welfare of the District of Columbia to establish and operate in the public schools and other suitable locations a system of nurseries and nursery schools for day care of school-age and under-school-age children, and for other purposes", approved July 16, 1946, as amended, is amended by striking out "and until June 30, 1948, and no longer," and inserting "and until June 30, 1949".

60 Stat. 540.

60 Stat. 541.

SEC. 2. Section 4 of such Act of July 16, 1946, as amended, is amended to read as follows:

Appropriation authorized.
Post, p. 1035.

"SEC. 4. There are authorized to be appropriated for the fiscal year ending June 30, 1949, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act."

Approved June 19, 1948.

[CHAPTER 543]

AN ACT

June 19, 1948
[H. R. 5883]
[Public Law 712]

Making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

Department of Agriculture Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, hereinafter referred to as the current fiscal year, namely:

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For personal services in the office of the Secretary of Agriculture, hereafter in this Act referred to as the Secretary, in the District of Columbia, and elsewhere, and other necessary expenses, including the purchase of one passenger motor vehicle for replacement only; travel expenses, including examination of estimates for appropriations in the field; stationery, supplies, materials, and equipment; freight, express, and drayage charges; advertising, communication service, postage, washing towels, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, hereafter in this Act referred to as the Department, $2,033,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such services and expenses, which several amounts or portions thereof as may be determined by the Secretary not exceeding a total of $87,560, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That, of appropriations herein made which are available for the purchase of lands, not to exceed $1 may be expended for each option to purchase any particular tract or tracts of land: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Adjustments in amounts.

Option to purchase land.

Employee predicting future price of cotton.

Purchase of twine.

RESEARCH AND MARKETING ACT OF 1946

To enable the Secretary to carry into effect the provisions of the Act of August 14, 1946, as amended (Public Law 733, 79th Congress; Public Law 297, 80th Congress), including in addition to the objects for which funds are available for such Act of August 14, 1946, and under title I of the Bankhead-Jones Act, as amended, personal services in the District of Columbia; printing and binding; over-all administration, planning, and coordination of research under section 10 pursuant to the provisions of section 10 (c); and necessary expenses for carrying out the provisions of title III of the Act, as follows:

60 Stat. 1082; 61 Stat. 694.
7 U. S. C. §§ 427, 427h–427j, 1621–1629; Supp. I, § 427j.
49 Stat. 436.
7 U. S. C. §§ 427–427j; Supp. I, § 427j.
60 Stat. 1085, 1086, 1091.
7 U. S. C. §§ 427i, 1628, 1629.

For payments to States, Territories, and Puerto Rico for agricultural experiment stations pursuant to section 9 of the Bankhead-Jones

Act approved June 29, 1935, as amended by the Act of August 14, 1946, $3,250,000, of which such amount as shall be allottable to Alaska shall be transferred to and made a part of the appropriation "Research on agricultural problems of Alaska", without matching requirement; 60 Stat. 1083. 7 U. S. C. § 427h.

For research on utilization and associated problems pursuant to section 10 (a) of said Act, $3,900,000; 60 Stat. 1085. 7 U. S. C. § 427i (a).

For cooperative research other than research on utilization of agricultural commodities and the products thereof, pursuant to section 10 (b) of said Act, $1,950,000; 60 Stat. 1086. 7 U. S. C. § 427i (b).

For the improvement and development, independently or through cooperation among Federal and State agencies, and others, of a sound and efficient system for the distribution and marketing of agricultural products pursuant to the "Agricultural Marketing Act of 1946" (title II of the Act of August 14, 1946), $4,750,000; 60 Stat. 1087. 7 U. S. C. §§ 1621-1627.

In all, $13,850,000: *Provided*, That for necessary printing and binding there may be transferred to, and made a part of, the item "Printing and binding, Department of Agriculture," such sums as are necessary: *Provided further*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which it is made (but amounts made available to the Office of the Secretary, Office of the Solicitor, and Office of Information shall not exceed those which the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine), and any such amounts shall be in addition to amounts transferred or otherwise made available to other appropriation items of the Department: *Provided further*, That no part of this appropriation shall be available for work relating to fish or shellfish or any product thereof, except for the support of equitable transportation rates before Federal agencies concerned with such rates and for development of foreign markets.

Transfer of funds. *Post*, p. 510.

Availability of funds.

Work relating to fish, etc.

OFFICE OF THE SOLICITOR

For necessary expenses, including personal services in the District of Columbia and payment of fees or dues for the use of law libraries by attorneys in the field service, $2,074,500, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $148,000 shall be transferred to and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed $1,416,533: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and

reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, $580,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $13,975 shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, $538,000; for preparation and display of exhibits, $105,925; and the preparation, distribution, and display of motion and sound pictures, $55,600: *Provided, however*, That if the total amounts of the appropriations or authorizations for the current fiscal year from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding $300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further*, That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of $10,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Department of Agriculture Organic Act of 1944 (5 U. S. C. 574), said Act being elsewhere herein referred to as the Organic Act of 1944, as amended by section 15 of the Act of August 2, 1946 (5. U. S. C. 55a): *Provided further*, That no part of this appropriation shall be used for the establishment or maintenance of regional or State field offices or for the compensation of employees in such offices except that not to exceed $10,000 may be used to maintain the San Francisco radio office.

Adjustments in amounts.

Transfer of additional funds if Office acts as central agency.

Temporary employment.

58 Stat. 742.

60 Stat. 810.

Regional or State field offices.

PRINTING AND BINDING

For printing and binding for the Department, including all of its bureaus, offices, institutions, and services, except as otherwise provided, $1,800,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212–220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done

Ante, p. 509; *post*, p. 521.

Annual Report of the Secretary.
28 Stat. 601; 38 Stat. 1110; 49 Stat. 1550; 34 Stat. 825, 826.
44 U. S. C., Supp. I, § 212 note.

Farmers' bulletins.

at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220); and including not to exceed $207,000 for printing and binding not less than two hundred thirty thousand eight hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture), as authorized by section 73 of the Act of January 12, 1895 (44 U. S. C. 241): *Provided*, That the Secretary may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938 (7 U. S. C. 1281–1407), from funds appropriated to carry into effect the purposes of the National School Lunch Act approved June 4, 1946 (Public Law 396), such sums as may be necessary for printing and binding in connection with the activities under said Act, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under section 32: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed $145,000.

40 Stat. 1270.

Yearbook of Agriculture.

28 Stat. 612.

Transfer of funds.

Post, p. 525.

52 Stat. 31.
7 U. S. C., Supp. I, § 1334 *et seq.*
Post, p. 1250.
60 Stat. 230.
42 U. S. C. §§ 1751–1760; Supp. I, § 1752 note.
49 Stat. 774.
7 U. S. C., Supp. I, § 612c note.
Post, p. 1257.

LIBRARY, DEPARTMENT OF AGRICULTURE

For necessary expenses, including exchange of reference books, lawbooks, technical and scientific books, periodicals, and expenses incurred in completing imperfect series; not to exceed $1,200 for newspapers; dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; $600,000, of which not to exceed $484,924 may be expended for personal services in the District of Columbia.

BUREAU OF AGRICULTURAL ECONOMICS

For necessary expenses, including not to exceed $2,243,400 for personal services in the District of Columbia, including the salary of Chief of Bureau at $10,000 per annum, and not to exceed $1,000 for the purchase of books of reference, periodicals, and newspapers, as follows:

Economic investigations: For conducting investigations and for acquiring and diffusing useful information among the people of the United States, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, $1,988,500: *Provided*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics under the heading "Economic investigations" shall be used for State and county land-use planning, for conducting cultural surveys, or for the maintenance of regional offices.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on

49 Stat. 653.
Peanut statistics.
49 Stat. 1898; 52 Stat. 348.
Cotton and apple reports.

farms, production, distribution, and consumption of turpentine and rosin pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951–957), $2,375,400: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton, or for estimates of apple production for other than the commercial crop.

OFFICE OF FOREIGN AGRICULTURAL RELATIONS

Salaries and expenses: For necessary expenses for the Office of Foreign Agricultural Relations and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including personal services in the District of Columbia and not to exceed $500 for newspapers, $503,000.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

Cooperative agricultural extension work.
45 Stat. 711.
49 Stat. 438.
59 Stat. 231.
53 Stat. 589.
45 Stat. 1256.
49 Stat. 1554.
50 Stat. 881.

For payments to the States, Hawaii, Alaska, and Puerto Rico, for cooperative agricultural extension work as follows:

Capper-Ketcham, Bankhead-Jones, and related Acts: Capper-Ketcham Act, the Act approved May 22, 1928 (7 U. S. C. 343a, 343b), $1,480,000; Bankhead-Jones Act, section 21, title II, of the Act approved June 29, 1935 (7 U. S. C. 343c), $12,000,000; Bankhead-Jones Act, section 23, title II, of the Act approved June 29, 1935, as amended by the Act of June 6, 1945 (7 U. S. C. 343d–1), $11,500,000; additional extension work, the Act approved April 24, 1939, as amended (7 U. S. C. 343c–1), $555,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Smith-Lever Act to the Territory of Alaska, $13,950, and section 3 of the Act approved June 20, 1936 (7 U. S. C. 343e), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, $10,000, in all, for Alaska, $23,950; Puerto Rico, the Act approved August 28, 1937 (7 U. S. C. 343f–343g), extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico, $408,000; in all, Capper-Ketcham, Bankhead-Jones, and related Acts, $25,966,950.

SALARIES AND EXPENSES

38 Stat. 372.

Administration and coordination of extension work: For expenses necessary to administer the provisions of the Smith-Lever Act, approved May 8, 1914 (7 U. S. C. 341–348), and Acts amendatory or supplementary thereto, and to coordinate the extension work of the Department and the several States, Territories, and insular possessions, $827,200, of which not to exceed $663,100 may be expended for personal services in the District of Columbia.

AGRICULTURAL RESEARCH ADMINISTRATION

OFFICE OF ADMINISTRATOR

Reimbursement.

Salaries and expenses: For necessary expenses of the Office of Administrator, including the salary of the Administrator at $10,000 per annum, and personal services in the District of Columbia, and for the maintenance, operation, and furnishing of facilities and services at the Agricultural Research Center, $406,300: *Provided*, That the appro-

priation current at the time services are rendered may be reimbursed (by advance credits or reimbursements based on estimated or actual charges) from applicable appropriations, to cover the charges, including handling and other related services, for equipment rentals (including depreciation, maintenance, and repairs); for services, supplies, equipment and materials furnished, stores of which may be maintained at the Center, and for building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided further*, That the several appropriations of the Agricultural Research Administration shall be available for the construction, alteration, and repair of buildings and improvements: *Provided, however*, That unless otherwise provided, the cost of constructing any one building (excepting headhouses connecting greenhouses) shall not exceed $5,000, the total amount for construction of buildings costing more than $2,500 each shall be within the limits of the estimates submitted and approved therefor, and the cost of altering any one building during the fiscal year shall not exceed $2,500 or 2 per centum of the cost of the building as certified by the Research Administrator, whichever is greater.

Buildings and improvements.

Limitation.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary to carry into effect the Act approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programing, coordination, and printing the results of such research, to be conducted by such agencies of the Department as the Secretary may designate or establish, and to which he may make allotments from this fund, including personal services in the District of Columbia; $1,230,000, of which amount $835,200 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said Act, including not to exceed $23,000 for construction of a poultry house at the regional poultry laboratory, East Lansing, Michigan.

49 Stat. 436, 437.
7 U. S. C. § 427d.

49 Stat. 437.
7 U. S. C. § 427c.

RESEARCH ON STRATEGIC AND CRITICAL AGRICULTURAL MATERIALS

For expenses necessary to enable the Secretary to carry out his responsibilities under section 7 (b) of the Strategic and Critical Materials Stock Piling Act of July 23, 1946 (Public Law 520, Seventy-ninth Congress), in connection with natural rubber, including personal services in the District of Columbia, $349,000.

60 Stat. 600.
50 U. S. C. § 98f (b).

RESEARCH ON AGRICULTURAL PROBLEMS OF ALASKA

For expenses necessary to enable the Secretary to continue the program for research into the basic agricultural needs and problems of the Territory of Alaska in accordance with the authority contained in the Act of July 30, 1947 (Public Law 266), and for the same objects and purposes provided therein, $185,940, together with contract authority in an amount not to exceed $300,000 to construct buildings and facilities and to acquire and install such equipment as may be necessary, on land donated or otherwise acquired.

Post, p. 514.

61 Stat. 529.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, AND PUERTO RICO

For payments to the States, Hawaii, and Puerto Rico to be paid quarterly in advance, to carry into effect the provisions of the following Acts relating to agricultural experiment stations:

Hatch, Adams, Purnell, Bankhead-Jones, and related Acts: Hatch Act, the Act approved March 2, 1887 (7 U. S. C. 362, 363, 365, 368, 377–379), $720,000; Adams Act, the Act approved March 16, 1906 (7 U. S. C. 369), $720,000; Purnell Act, the Act approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373–376, 380, 382), $2,880,000; Bankhead-Jones Act, title I of the Act approved June 29, 1935 (7 U. S. C. 427–427g), $2,861,268, of which amount not to exceed $316 shall be transferred to and made a part of the appropriation "Research on agricultural problems of Alaska", without matching requirement; Hawaii, the Act approved May 16, 1928 (7 U. S. C. 386–386b), extending the benefits of certain Acts of Congress to the Territory of Hawaii, $90,000; Puerto Rico, the Act approved March 4, 1931, as amended (7 U. S. C. 386d–386f), extending the benefits of certain Acts of Congress to Puerto Rico, $90,000; in all, payments to States, Hawaii, and Puerto Rico, $7,361,268.

24 Stat. 440.
34 Stat. 63.
43 Stat. 970.
49 Stat. 436.
7 U. S. C., Supp. I, § 427j.
Transfer of funds.
Ante, p. 513.
45 Stat. 571.
46 Stat. 1520.

SALARIES AND EXPENSES

Administration of grants and coordination of research with States: For necessary expenses, including not to exceed $183,000 for personal services in the District of Columbia, to enforce the provisions of the Acts approved March 2, 1887, March 16, 1906, February 24, 1925, May 16, 1928, March 4, 1931, and June 20, 1936, and Acts amendatory thereto (7 U. S. C. 361–363, 365–369, 370–383, 386, 386d–386f), relative to their administration and for the administration of an agricultural experiment station in Puerto Rico, $197,000; and the Secretary shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the State agricultural colleges and experiment stations in the lines authorized in said Acts with research of the Department in similar lines, and make report thereon to Congress.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571; 46 Stat. 1520; 49 Stat. 1553.

Federal experiment station, Puerto Rico: For expenses necessary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, $124,700.

BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

For expenses necessary, including not to exceed $1,218,000 for personal services in the District of Columbia, for carrying out the provisions of the Act, as amended, establishing a Bureau of Animal Industry, and related Acts, and for investigations concerned with the livestock and meat industries and the domestic raising of fur-bearing animals, as follows:

23 Stat. 31.
7 U. S. C. §§ 391–394; Supp. I, § 391 note.

Animal husbandry: For investigations and experiments in animal husbandry and animal and poultry feeding and breeding, and for carrying out the purposes of section 101 (b) of the Organic Act of 1944 (7 U. S. C. 429) authorizing cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries, $1,405,500.

58 Stat. 734.

Diseases of animals: For scientific investigations of diseases of animals, and for investigations of tuberculin, serums, antitoxins, and analogous products, $1,055,000.

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, $6,250,000: *Provided*, That no part of the money hereby appropriated shall be used in compensating owners of cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal.

Compensation of cattle owners, restrictions.

Limitation on amount of payment.

Inspection and quarantine: For inspection and quarantine work, including the control and eradication of hog cholera and related swine diseases, southern cattle ticks, scabies in sheep and cattle, and dourine in horses, the supervision of the transportation of livestock, the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals in accordance with the Act of August 30, 1890 (21 U. S. C. 102), and the Act of July 24, 1946 (Public Law 522), and the inspection work relative to the existence of contagious diseases, $1,225,000: *Provided*, That service shall be maintained at all stockyards having such service during the current fiscal year.

26 Stat. 416.

60 Stat. 633.
21 U. S. C. § 133.

Service at stockyards.

Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat and meat-food products, $11,500,000: *Provided*, That the unobligated balance remaining in the "Meat inspection fund" established by the Department of Agriculture Appropriation Act, 1948, shall be carried to the general fund of the Treasury.

Meat inspection fund.

61 Stat. 531.

Virus Serum Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, $365,000.

37 Stat. 832.

Marketing agreements, hog cholera virus and serum: The sum of $43,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933 (7 U. S. C. 612), is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851–855), including personal services in the District of Columbia.

48 Stat. 38.

49 Stat. 781.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

For expenses necessary, including personal services in the District of Columbia, in the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar dis-

Payment of claims.

eases in poultry, including the payment of claims growing out of past and future purchases and destruction of animals (including poultry) affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations; and for foot-and-mouth disease and rinderpest programs undertaken pursuant to the provisions of the Act of February 28, 1947 (Public Law 8, Eightieth Congress), and the Act of May 29, 1884, as amended (7 U. S. C., 391; 21 U. S. C., 111–122), including expenses in accordance with section 2 of said Public Law 8, the Secretary may transfer from other appropriations or funds available to the bureaus, corporations, or agencies of the Department such sums as he may deem necessary, to be available only in an emergency which threatens the livestock or poultry industry of the country, and any unexpended balances of funds transferred under this head in the fiscal year 1948 shall be merged with such transferred amounts: *Provided*, That, except for payments made pursuant to said Public Law 8, the payment for such animals hereafter purchased may be made on appraisement based on the meat, egg-production, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any such animal shall exceed three times its meat, egg-production, or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary, the payment by the United States Government for any such animals shall not exceed one-half of any such appraisements: *Provided further*, That poultry may be appraised in groups when the basis for appraisal is the same for each bird.

61 Stat. 7.
21 U. S. C., Supp. I, §§ 114b–114d.
7 U. S. C., Supp. I, § 391 note.
23 Stat. 31.
Ante, p. 198.

Basis of appraisement.

Group appraisal for poultry.

BUREAU OF DAIRY INDUSTRY

Salaries and expenses: For necessary expenses, including not to exceed $515,300 for personal services in the District of Columbia, in carrying out the provisions of the Act of May 29, 1924 (7 U. S. C. 401–404), including investigations, experiments, and demonstrations in dairy industry, for carrying out the applicable provisions of the Act of May 9, 1902 (26 U. S. C. 2325, 2326 (c)), relating to process or renovated butter, as amended by the Act of June 24, 1946 (Public Law 427), and the Act of May 23, 1908 (21 U. S. C. 94 (a)), insofar as it relates to the exportation of process or renovated butter, $1,050,000.

43 Stat. 243.
32 Stat. 196.
60 Stat. 300.
35 Stat. 254.

BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

SALARIES AND EXPENSES

Plant and soil investigations.

For expenses necessary for investigations, experiments, and demonstrations in connection with the production and improvement of farm crops and other plants and plant industries; soils and soil-plant relationships, and the application of engineering principles to agriculture; plant diseases, including nematodes, and methods for their prevention and control; plant and plant-disease collections and surveys; the distribution of weeds and means for their control; methods of handling, processing, transportation, and storage of agricultural products; and plants in foreign countries and our possessions for introduction into the United States, including explorations and surveys, and propagation and testing in this country; for the operation and maintenance of airplanes; and for personal services in the city of Washington, as follows:

Airplanes.

Field crops: For investigations on the production, improvement, and diseases of alfalfa, barley, clover, corn, cotton, flax, grasses, oats,

rice, rubber crops, sorghums, soybeans, sugar beets, sugarcane, tobacco, wheat, and other fields crops, $2,672,300.

Fruit, vegetable, and specialty crops: For investigations on the production, improvement, and diseases of fruit, vegetable, nut, ornamental, drug, condiment, oil, insecticide, and related crops and plants, $2,578,100.

Forest diseases: For investigations of diseases of forest and shade trees and forest products, and methods for their control, $380,480.

Soils, fertilizers, and irrigation: For investigations of soil management methods to increase and maintain productivity, including fertilization, liming, crop rotations, tillage practices, and other means of improving soils; fertilizers, fertilizer ingredients, and their improvement for agricultural use; soil management and crop production on dry and irrigated lands, and the quality of irrigation water and its use by crops; and for the classification of soils in a national system and indication of their extent and distribution on maps, and determination of their potential productivity under adapted cropping and improved soil management; $1,524,000: *Provided*, That the irrigation experiment station at Bard, California, may be sold upon such terms as the Secretary deems advantageous, and the proceeds of such sale are to be available for the establishment and equipment of an irrigation station at or near Brawley, California, or the Secretary may if he deems it desirable exchange in lieu of sale the Bard Station for a suitable site or facilities at or near Brawley, and in connection with the establishment of the new station the Secretary may accept donations: *Provided further*, That the Secretary shall have contractual authority in an amount not to exceed $100,000 to construct and/or acquire buildings, facilities, and equipment for the station at Brawley.

Experiment station, Bard, Calif.

Contractual authority.

Agricultural engineering: For investigations involving the application of engineering principles to agriculture, including farm power and equipment, rural water supply and sanitation, and rural electrification; farm buildings and their appurtenances and buildings for processing and storing farm products, and the preparation and distribution of building plans and specifications; cotton ginning, and other engineering problems relating to the production, processing, transportation, and storage of agricultural products; $685,690.

National Arboretum: For the maintenance and development of the National Arboretum established under the provisions of the Act approved March 4, 1927 (20 U. S. C. 191–194), including travel expenses of the advisory council and the purchase of one passenger motor vehicle in the District of Columbia, $413,900, of which not to exceed $20,000 shall be available for the construction of entrance facilities, including a guardhouse and rest rooms, and not to exceed $10,000 may be expended for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574) as amended by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).

44 Stat. 1422.

58 Stat. 742.
60 Stat. 810.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, demonstrations, and surveys for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, and the best ways of utilizing beneficial insects, for carrying into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), the Honey Bee Act (7 U. S. C. 281–283), the Insect Pest

37 Stat. 315.
7 U.S.C., Supp. I, §154.
42 Stat. 833.

33 Stat. 1269; 56 Stat. 40.
58 Stat. 735.

Act (7 U. S. C. 141–144), the Mexican Border Act (7 U. S. C. 149) and the Organic Act of 1944 (7 U. S. C. 147a), authorizing the eradication, control, and prevention of spread of injurious insects and plant pests; including the operation and maintenance of airplanes and the purchase of not to exceed five, and not to exceed $718,350 for personal services in the District of Columbia, as follows:

Insect investigations: For the investigation of insects affecting fruits, grapes, nuts, trees, shrubs, forests and forest products, truck and garden crops, cereal, forage and range crops, cotton, tobacco, sugar plants, ornamental and other plants and agricultural products, household possessions, and man and animals; for bee culture and apiary management; for classifying, identifying, and collecting information to determine the distribution and abundance of insects; for investigations in connection with introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods; for developing methods, equipment, and apparatus to aid in enforcing plant quarantines and in the eradication and control of insect pests and plant diseases; and for investigations of insecticides and fungicides, including methods of their manufacture and use and the effects of their application, $3,019,800.

Post, p. 1037.

Insect and plant-disease control: For carrying out operations or measures to eradicate, suppress, control, or to prevent or retard the spread of Japanese beetle, sweetpotato weevil, Mexican fruitflies, phony peach and peach mosaic, cereal rusts, and pink bollworm and Thurberia weevil, including the enforcement of quarantine regulations and cooperation with States to enforce plant quarantines as authorized by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), and including the establishment of such cotton-free areas as may be necessary to stamp out any infestation of the pink bollworm as authorized by the Act of February 8, 1930 (46 Stat. 67), and for the enforcement of domestic plant quarantines through inspection in transit, including the interception and disposition of materials found to have been transported interstate in violation of Federal plant quarantine laws or regulations, and operations under the Terminal Inspection Act (7 U. S. C. 166), $2,586,200: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees, farm animals, farm crops, or other property injured or destroyed: *Provided further*, That, in the discretion of the Secretary, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose, or for barberry eradication until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of this purpose.

37 Stat. 315.
7 U. S. C., Supp. I, § 154.
Establishment of cotton-free areas.

Inspection in transit.

38 Stat. 1113.
Restriction.

State, etc., cooperation.

Foreign plant quarantines: For operations against the introduction of insect pests or plant diseases into the United States, including the enforcement of foreign-plant quarantines and regulations promulgated under sections 5 and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167), the Insect Pest Act of 1905 (7 U. S. C. 141–144), and the Mexican Border Act of 1942 (7 U. S. C. 149), for enforcement of domestic-plant quarantines as they pertain to Territories of the United States and enforcement of regulations governing the movement of plants into and from the District of Columbia promulgated under section 15 of the Plant Quarantine Act of August 20, 1912, as amended, and for inspection and certification of plants and plant products to meet the sanitary requirements of foreign countries, as authorized in section 102 of the Organic Act of 1944 (7 U. S. C. 147a), $2,212,000.

37 Stat. 316, 317.
7 U. S. C. §§ 159, 160.
33 Stat. 1269.
56 Stat. 40.

41 Stat. 726.
7 U. S. C. § 167.

58 Stat. 735.

CONTROL OF EMERGENCY OUTBREAKS OF INSECTS AND PLANT DISEASES

For expenses necessary to carry out the provisions of the joint resolution approved May 9, 1938 (7 U. S. C. 148–148e), including the operation and maintenance of airplanes and the purchase of not to exceed three, and surveys and control operations in Canada in cooperation with the Canadian Government or local Canadian authorities, and the employment of Canadian citizens, $1,750,000.

52 Stat. 344.

Cooperation with Canada.

BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

SALARIES AND EXPENSES

For expenses necessary for investigations, experiments, and demonstrations hereinafter authorized, including not to exceed $237,746 for personal services in the District of Columbia, as follows:

Agricultural chemical and naval stores investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; and for the technological investigation of the utilization of fruits and vegetables and for frozen-pack investigations; for the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; and the weighing, storing, handling, transportation, and utilization of naval stores; $634,050.

12 Stat. 387.

Regional research laboratories: For continuing the researches established under the provisions of section 202 (a) to 202 (e), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1292), including research on food products of farm commodities, $5,000,000, including not to exceed $50,000 for the construction of a hazardous operations building at the Eastern Regional Research Laboratory located at Wyndmoor, Pennsylvania.

52 Stat. 37.

Hazardous operations building.

BUREAU OF HUMAN NUTRITION AND HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed $311,765 for personal services in the District of Columbia, for conducting investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, $813,000.

CONTROL OF FOREST PESTS

For expenses necessary for carrying out operations, measures, or surveys necessary to eradicate, suppress, control, or to prevent or retard the spread of insects or diseases which endanger forest trees on any lands in the United States, and for such quarantine measures relating thereto as may be necessary pursuant to the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151–167),

37 Stat. 315. 7 U. S. C., Supp. I, § 154.

including personal services in the District of Columbia and the purchase (not to exceed two) and operation and maintenance of airplanes, as follows:

Gypsy and brown-tail moths: Gypsy and brown-tail moths, pursuant to section 102 of the Act of September 21, 1944 (7 U. S. C. 147a), $603,600.

58 Stat. 735.

Forest Pest Control Act: Forest Pest Control Act (Public Law 110, approved June 25, 1947), $135,000.

61 Stat. 177.
16 U. S. C., Supp. I, §§ 594-1—594-5.

White pine blister rust: White pine blister rust, pursuant to the Act of April 26, 1940 (16 U. S. C. 594a), $3,750,000, of which amount $582,000 shall be available to the Department of the Interior for the control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; $1,974,650 of said amount to the Forest Service for the control of white pine blister rust on or endangering lands under its jurisdiction; and $1,193,350 of said amount to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, the control of white pine blister rust on or endangering State and privately owned lands.

54 Stat. 168.

Availability of funds for designated agencies.

Dutch elm disease: Dutch elm disease, pursuant to section 102 of the Act of September 21, 1944 (7 U. S. C. 147a), $51,800: *Provided*, That in the discretion of the Secretary, no expenditures from this appropriation shall be made for applying methods of control of the Dutch elm disease in any State where measures for the removal and destruction of trees on non-Federal lands suffering from the Dutch elm disease are not in force, provided such removal and destruction are deemed essential or appropriate for the carrying on of the control program, nor until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or by organizations concerned: *Provided, however*, That expenditures incurred for removal of trees infected with Dutch elm disease from non-Federal lands shall not be considered a part of such appropriations, subscriptions, or contributions: *Provided further*, That no part of this appropriation shall be expended for the removal and destruction of trees infected with the Dutch elm disease except where such trees are located on property owned or controlled by the Government of the United States, or on property included within local experimental control areas.

58 Stat. 735.

Local requirements.

Removal and destruction of trees.

FOREST SERVICE

SALARIES AND EXPENSES

For expenses necessary, including not to exceed $1,097,582 for personal services in the District of Columbia, not to exceed $10,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); to experiment and make investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as

58 Stat. 742.
60 Stat. 810.

Experiments and investigations.

Cost of buildings.

improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed $10,000, with the exception that any building erected, purchased, or acquired, the cost of which was $10,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service: *Provided*, That not to exceed $50,000 of the appropriation for "National forest protection and management", and not to exceed $50,000 of the appropriation for "Forest fire cooperation" may be transferred to the appropriation "Printing and binding, Department of Agriculture", for forest fire prevention posters and related printed material, as follows:

Protection, etc., of national forests.

Care of fish and game.

Transfer of funds.
Infra; post, p. 522.

Ante, p. 510.

General administrative expenses: For general administration, including the salary of the Chief Forester at $10,000 per annum, and for expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), $650,000.

36 Stat. 963.

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the operation and maintenance of aircraft and the purchase of not to exceed four; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration, except that where, in the opinion of the Secretary, direct purchases will be more economical than construction, improvements may be purchased; the construction (not to exceed $10,000 for any one structure), equipment, and maintenance of sanitary and recreational facilities; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506–509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests; and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, $25,204,175, of which not to exceed $25,000 shall be available for the purchase of one nursery site.

Supra.

Direct purchases.

Homestead lands.

34 Stat. 233; 37 Stat. 287, 842.

Fighting forest fires: For fighting and preventing forest fires on or threatening lands under Forest Service administration, including lands under contract for purchase or in process of condemnation for Forest Service purposes, $100,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f–581i), including the construction and maintenance of improvements, as follows:

45 Stat. 699–702.

Forest and range management investigations: Fire, silvicultural, watershed, and other forest investigations and experiments under said section 2, as amended, and investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, $2,787,500.

16 U. S. C. § 581a.

16 U. S. C. § 581f.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, $1,125,000.

16 U. S. C. § 581g.

Forest resources investigations: A comprehensive forest survey under section 9, and investigations in forest economics under section 10, $822,000.

16 U. S. C. § 581h, 581i.

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act approved June 7, 1924, as amended (16 U. S. C. 564–570), $9,000,000, of which not to exceed $76,125 shall be available for personal services in the District of Columbia.

43 Stat. 653.
16 U. S. C., Supp. I, § 565.

FARM AND OTHER PRIVATE FORESTRY COOPERATION

To enable the Secretary through the Forest Service to advise timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to federally owned lands leased to States and to private forest lands, so as to attain sustained-yield management, the conservation of the timber resources, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, and to carry into effect, through such agencies of the Department as he may designate, the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed $660,034) and the provisions of sections 4 (not to exceed $83,700) and 5 (not to exceed $65,766) of the Act approved June 7, 1924 (16 U. S. C. 567–568), and Acts supplementary thereto; in all, not to exceed $809,500, of which not to exceed $54,636 may be expended for personal services in the District of Columbia; and not to exceed $30,000 for the construction, alteration, or purchase of necessary buildings, and other improvements.

50 Stat. 188.

43 Stat. 654.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

Under Weeks Act: For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U. S. C. 513–519, 521), $500,000, to be available only for payment toward the purchase price of any lands acquired, including the cost of surveys in connection with such acquisition.

36 Stat. 961.

Under special Acts: For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance

with the provisions of the following Acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (Public Law 337), as amended, $40,000; Cache National Forest, Utah, Act of May 11, 1938 (Public Law 505), as amended, $10,000; San Bernardino and Cleveland National Forests, Riverside County, California, Act of June 15, 1938 (Public Law 634), as amended, $22,000; Nevada and Toiyabe National Forests, Nevada, Act of June 25, 1938 (Public Law 748), as amended, $10,000; Angeles National Forest, California, Act of June 11, 1940 (Public Law 591), $20,000; Cleveland National Forest, San Diego County, California, Act of June 11, 1940 (Public Law 589), $5,000; Sequoia National Forest, California, Act of June 17, 1940 (Public Law 637), $35,000; in all $142,000.

49 Stat. 866.
52 Stat. 347.
52 Stat. 699.
52 Stat. 1205.
54 Stat. 299.
54 Stat. 297.
54 Stat. 402.

FOREST ROADS AND TRAILS

For expenses necessary for carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921, as amended (23 U. S. C. 23, 23a), and for the construction, reconstruction, and maintenance of roads and trails on experimental areas under Forest Service administration, (1) $9,750,000 for forest development roads and trails, and (2) $5,300,000 for forest highways, which sums are authorized to be appropriated by the Act of December 20, 1944 (Public Law 521), in all, $15,050,000 (including not to exceed $100,000 for personal services in the District of Columbia), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased, altered, or constructed under this authorization shall not exceed $10,000, with the exception that any building erected, purchased, or acquired, the cost of which was $10,000 or more, may be improved within any fiscal year by an amount not to exceed 2 per centum of the cost of such buildings certified by the Secretary.

Post, p. 1037.
42 Stat. 218.
Experimental areas.
58 Stat. 838.
23 U. S. C. §§ 60–63.
Buildings for storage of equipment.

FLOOD CONTROL

Flood control: For expenses necessary, in accordance with the Flood Control Act, approved June 22, 1936 (Public Law 738, Seventy-fourth Congress), as amended and supplemented, to make preliminary examinations and surveys, and to perform works of improvements, $6,000,000, of which $1,800,000 shall be available for preliminary examinations and surveys, and including not to exceed $135,000 for personal services in the District of Columbia, to be immediately available and to remain available until expended, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for flood-control purposes: *Provided*, That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated: *Provided further*, That hereafter funds appropriated for the Yazoo and Little Tallahatchie watersheds shall be available for necessary work projects in all areas up to that over which the Department of the Army has jurisdiction and responsibility or to carry out emergency measures authorized by section 7 of the Act of June 28, 1938 (52 Stat. 1225), as amended.

49 Stat. 1570.
33 U. S. C. §§ 701a–701h.
Yazoo and Little Tallahatchie watersheds.
33 U. S. C. § 701b-1.

SOIL CONSERVATION SERVICE

49 Stat. 163.

For expenses necessary to carry out the provisions of the Act approved April 27, 1935 (16 U. S. C. 590a–590f), which provides for a national program of erosion control and soil and water conservation, including not to exceed $856,750 for personal services in the District of Columbia, furnishing of subsistence to employees, operation and maintenance of aircraft, and the purchase and erection or alteration of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed $2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for eight buildings to be constructed at a cost not to exceed $15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district, as follows:

Cost of buildings.

Construction on land not owned by Government.

Central State agency, Mo.

Soil conservation research: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and water conservation (including the construction and hydrologic phases of farm irrigation and land drainage, and water regulation to conserve the soil and reduce fire hazards in the Everglades region of Florida, except that expenditures for all work in the Everglades region shall be limited to a sum not in excess of funds made available for such work by the State of Florida, or political subdivisions thereof); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, $1,548,000.

Everglades region, Fla.

Soil conservation operations: For carrying out preventive measures to conserve soil and water, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of conservation nurseries, the making of conservation plans and surveys, and the dissemination of information, $43,500,000: *Provided*, That no part of this appropriation may be expended for soil and water conservation operations in demonstration projects.

Demonstration projects.

LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

For expenses necessary to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010–1012), and the provisions of the Act approved August 11, 1945 (Public Law 179, Seventy-ninth Congress), including not to exceed $29,100 for personal services in the District of Columbia, $1,125,000.

50 Stat. 525.

59 Stat. 532.
7 U. S. C. § 1011 note.

PRODUCTION AND MARKETING ADMINISTRATION

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

For expenses necessary to enable the Secretary to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g–590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281–1407) (except the provisions of sections 201, 202, 303, 381, and 383 and the provisions of titles IV and V), including personal services in the District of Columbia; not to exceed $6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; $150,000,000, to remain available until December 31, 1949, for compliance with programs under said provisions of the Agricultural Adjustment Act of 1938, as amended, and the Act of February 29, 1936, as amended, pursuant to the provisions of the 1948 programs carried out during the period July 1, 1947, to December 31, 1948, inclusive: *Provided*, That not to exceed $24,500,000 of the total sum provided under this head shall be available during the current fiscal year, for salaries and other administrative expenses for carrying out such programs, including the tobacco and peanut-marketing quota programs, the cost of aerial photographs, however, not to be charged to such limitation; but not more than $7,000,000 shall be transferred to the appropriation account, "Administrative expenses, section 392, Agricultural Adjustment Act of 1938": *Provided further*, That payments to claimants hereunder may be made upon the certificate of the claimant, which certificate shall be in such form as the Secretary may prescribe, that he has carried out the conservation practice or practices and has complied with all other requirements as conditions for such payments and that the statements and information contained in the application for payment are correct and true, to the best of his knowledge and belief, under the penalties of the Act of March 4, 1909, as amended (18 U. S. C. 80): *Provided further*, That none of the funds herein appropriated or made available for the functions assigned to the Agricultural Adjustment Agency pursuant to the Executive Order Numbered 9069, of February 23, 1942, shall be used to pay the salaries or expenses of any regional information employees or any State or county information employees, but this shall not preclude the answering of inquiries or supplying of information to individual farmers: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1949 programs (amounting to $262,500,000, including administration, and formulated on the basis of a distribution of the funds available for payments and grants among the several States in accordance with their conservation needs as determined by the Secretary: *Provided further*, That the proportion allocated to any State shall not be reduced more than 15 per centum from the 1946 distribution and that no participant shall receive more than $750) of soil-building practices and soil- and water-conservation practices, under the Act of February 29, 1936, as amended, and programs under the Agricultural Adjustment Act of 1938, as amended; but the payments or grants under such program shall be conditioned upon the utilization of land with respect to which such payments or grants are to be made, in conformity with farming practices which will encourage and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State committee appointed pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended for the respective

Soil conservation.
Ante, pp. 409, 411, 511.
49 Stat. 1148.
16 U. S. C., Supp. I, § 590q.
Post, p. 1250.
52 Stat. 31.
7 U. S. C., Supp. I, § 1334 *et seq.*
Post, p. 1250.
52 Stat. 36, 45, 66, 67, 70, 72.
7 U. S. C. §§ 1291, 1292, 1303, 1381, 1383, 1401–1407, 1501–1518; Supp. I, § 1381 *et seq.*
Post, pp. 859, 1255.

Administrative expenses.

52 Stat. 69.
7 U. S. C. § 1392.
Payments to claimants.

35 Stat. 1095.
Post, p. 863.

50 U. S. C. app. § 601 note.

Programs of soil-building practices, etc.

Allocations to States.

49 Stat. 1148; 52 Stat. 31.
16 U. S. C. §§ 590g–590q; Supp. I, § 590q; 7 U. S. C. §§ 1281–1518; Supp. I, § 1334 *et seq.*
Post, pp. 859, 1250.

49 Stat. 1150.
16 U. S. C. § 590h (b).

Transfer of funds.

Purchase of seeds, etc.

Payment to farmers inducted into armed forces.

49 Stat. 1148.
16 U. S. C. §§ 590g-590q; Supp. I, § 590q.
Post, p. 1250.

59 Stat. 154.

52 Stat. 68.
Post, p. 1257.

Salary or travel expenses, restriction.

53 Stat. 1147.
18 U. S. C. §§ 61-61w.
Post, p. 867.
41 Stat. 68.
Post, p. 865.

States: *Provided further*, That the Secretary may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of said Office in auditing payments under this item: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That the Secretary is authorized and directed to make payments to farmers who complied with the terms and conditions of the agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, if the Secretary determines that, because of induction into the armed forces of the United States, such farmers failed to file, or were prevented from filing, applications for payment under any such program during the period the applicable appropriation for such program was available for obligation, such payments to be made out of the unobligated balance of the appropriation, "Conservation and use of agricultural land resources", in the Department of Agriculture Appropriation Act, 1946: *Provided further*, That an application for payment on the prescribed form is filed by any such farmer (or the person entitled to payment in case of death, disappearance, or incompetency of the farmer under regulations issued pursuant to section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., 1940 edition, 1385)) within one year from the date of his discharge from the armed forces, or by December 31, 1948, whichever is later: *And provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of section 6 of the Act of July 11, 1919 (18 U. S. C. 201), to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels.

SUGAR ACT

61 Stat. 922.
7 U. S. C., Supp. I, §§ 1100-1160.
50 Stat. 903.

To enable the Secretary to carry into effect the provisions of the Sugar Act of 1948, approved August 8, 1947 (Public Law 388), including such amount as is required to complete payments under the Sugar Act of 1937, as amended (7 U. S. C. 1100–1183), $72,000,000, to remain available until June 30, 1950: *Provided*, That expenditures (including transfers) from this appropriation for other than payments to sugar producers shall not exceed $1,385,545.

EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

49 Stat. 774.
7 U. S. C., Supp. I, § 612c note.
Post, p. 1257.

Not to exceed $500,000 of the appropriation made available by section 32 of the Act of August 24, 1935 (7 U. S. C. 612 (c)), shall be used to pay any subsidy, benefit, or indemnity to manufacturers of or dealers in insulation products.

NATIONAL SCHOOL LUNCH ACT

To enable the Secretary to carry out the provisions of the National School Lunch Act of June 4, 1946 (Public Law 396), there is hereby made available $75,000,000 of the funds appropriated for the fiscal year 1949 by section 32 of the Act approved August 24, 1935 (7 U. S. C. 612 (c)), such amount to be without regard to the 25 per centum limitation contained in said section 32, and to be exclusive of funds expended in accordance with the last sentence of section 9 of the National School Lunch Act: *Provided*, That no part of such funds shall be used for nonfood assistance under section 5 of said Act.

60 Stat. 230.
42 U. S. C. §§ 1751-1760; Supp. I, § 1752 note.

49 Stat. 774.
7 U. S. C., Supp. I, § 612c note.
Post, p. 1257.
60 Stat. 233, 231.
42 U. S. C. §§ 1758, 1754.

MARKETING SERVICES

For expenses necessary, including not to exceed $2,187,827 for personal services in the District of Columbia, in conducting investigations, experiments, and demonstrations, as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products (including broilers), fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, $1,689,750.

Market inspection of farm products: For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, $712,000.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world, for making analyses of cotton fiber as provided by the Act of April 7, 1941 (7 U. S. C. 473d), for carrying out the provisions of section 201 (a) to 201 (d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1291), and for coordinating nutrition services made available by Federal, State, and other agencies, including not to exceed $10,000 for employment pursuant to the second sentence of section 706 (a), of the Organic Act of 1944 (5 U. S. C. 541b), as amended by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and not to exceed $20,000 for transportation and other necessary expenses including not to exceed $10 per diem of persons serving without compensation while away from their homes or regular places of business; printing and binding; and not to exceed $150 for newspapers, $1,084,500: *Provided*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which this appropriation is made, and any such amounts shall be in addition to amounts transferred or otherwise made available to appropriation items in this Act.

55 Stat. 131.

52 Stat. 36.

58 Stat. 742.
60 Stat. 810.

Additional amounts.

Tobacco Acts: To carry into effect the provisions of the Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, approved August 23, 1935 (7 U. S. C. 511–511q), the Act to provide for the collection and publication of statistics of tobacco by the Department, approved January 14, 1929 (7 U. S. C. 501–508), as amended, and the Act to prohibit the exportation of tobacco seed and plants, approved June 5, 1940 (7 U. S. C. 516), $1,552,000.

49 Stat. 731.

45 Stat. 1079.

54 Stat. 231.

Cotton Statistics, Classing, Standards and Futures Acts: To carry into effect the provisions of the Act authorizing the Secretary to collect and publish statistics of the grade and staple length of cotton, approved March 3, 1927, as amended by the Act of April 13, 1937 (7 U. S. C. 471–476), and to perform the duties imposed upon him by chapter 14 of the Internal Revenue Code relating to cotton futures (26 U. S. C. 1920–1935), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923, as amended (7 U. S. C. 51–65), $1,399,000.

44 Stat. 1372; 50 Stat. 62.

53 Stat. 210.

42 Stat. 1517.

Marketing regulatory acts: For expenses necessary to carry into effect the provisions of the Perishable Agricultural Commodities Act, as amended (7 U. S. C. 499a–499r), the Act to prevent the destruction or dumping of farm produce (7 U. S. C. 491–497), the Act to provide standards for baskets and containers for fruits and vegetables, as amended (15 U. S. C. 251–256), the Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables (15 U. S. C. 257–257i), the Act to provide export standards for apples and pears (7 U. S. C. 581–589), the United States Grain Standards Act (7 U. S. C. 71–87), the United States Warehouse Act (7 U. S. C. 241–273), the Federal Seed Act (7 U. S. C. 1551–1610), the Packers and Stockyards Act, as amended (7 U. S. C. 181–229), the Naval Stores Act (7 U. S. C. 91–99), and the Federal Insecticide, Fungicide, and Rodenticide Act of June 25, 1947 (Public Law 104), $3,178,350.

46 Stat. 531.

44 Stat. 1355.

39 Stat. 673.

45 Stat. 685.

48 Stat. 123.

39 Stat. 482.

39 Stat. 486; 53 Stat. 1275.

42 Stat. 159, 1435.

61 Stat. 163.
7 U. S. C., Supp. I, §§ 135–135k.

COMMODITY EXCHANGE AUTHORITY

Commodity Exchange Act: To enable the Secretary to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1–17a), including not to exceed $153,000 for personal services in the District of Columbia, $530,000.

49 Stat. 1491.
7 U. S. C., Supp. I, § 12–1.

FARMERS' HOME ADMINISTRATION

For expenses necessary, including personal services in the District of Columbia, to carry into effect the provisions of titles I, II, and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U. S. C. 1000–1029), as amended, the Farmers' Home Administration Act of 1946 (Public Law 731), approved August 14, 1946, and Public Law 563, approved July 30, 1946, as follows:

50 Stat. 522, 524, 527.
7 U. S. C., Supp. I, § 1001 *et seq.*
Post, p. 534.

Loans: Title I and section 43 (including payments in lieu of taxes and taxes under section 50), $15,000,000; title II, $75,000,000.

60 Stat. 1062, 711.
7 U. S. C. §§ 1001–1031; Supp. I, § 1001 *et seq.*; 40 U. S. C. §§ 436–439.

Salaries and expenses: For the making and servicing of new loans, insuring mortgages, the servicing and collecting of loans made under prior authority, and the liquidation of assets transferred to Farmers' Home Administration pursuant to the Farmers' Home Administration Act of 1946, $22,000,000, together with a transfer to this appropriation item of not to exceed $120,000 of the fees and administrative expense charges made available by subsections (d) and (e) of section 12 of the Bankhead-Jones Farm Tenant Act, as amended.

50 Stat. 522, 530, 524.
7 U. S. C. §§ 1001–1005d, 1017, 1007–1009; Supp. I, §§ 1001, 1017 notes.
Post, p. 534.

60 Stat. 1062.
7 U. S. C. §§ 1001–1031; Supp. I, § 1001 *et seq.*
60 Stat. 1076.
7 U. S. C. § 1005b (d), (e).
Post, p. 534.

WATER FACILITIES, ARID AND SEMIARID AREAS

To carry into effect the provisions of the Act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, approved August 28, 1937, as amended (16 U. S. C. 590r–590x, 590z–5), $1,750,000, of which not to exceed $11,000 may be expended for personal services in the District of Columbia.

50 Stat. 869.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901–915, as amended by the Act of July 30, 1947 (Public Law 266)), as follows:

49 Stat. 1363. 7 U. S. C., Supp. I, § 903. 61 Stat. 546. *Post*, p. 1038.

Salaries and expenses: For administrative expenses, including personal services in the District of Columbia; not to exceed $500 for newspapers; and not to exceed $500 for financial and credit reports; $5,450,000.

Loans: For loans in accordance with sections 3, 4, and 5 of said Act, and for carrying out the provisions of section 7 thereof, $400,000,000, to be borrowed from the Secretary of the Treasury in accordance with the provisions of section 3 (a) of said Act.

49 Stat. 1364, 1365. 7 U. S. C. §§ 903–905, 907; Supp. I, § 903.

GENERAL PROVISIONS—DEPARTMENT OF AGRICULTURE

Limitations respecting loans and advances.

SEC. 2. No funds appropriated or made available under this title shall be used to pay the compensation or expenses of any officer or employee of the Department or any bureau, office, agency, or service of the Department, or any corporation, institution, or association supervised thereby, who makes or approves, or directs or authorizes the approval of, any loan or advance by the Regional Agricultural Credit Corporation of Washington, District of Columbia, unless such loan or advance (1) is for the purpose of protecting the security for or assisting in the collection of a loan or advance theretofore made by the Corporation, or (2) is for use in and confined to a specific area or region in which the Secretary of Agriculture shall have found that such loans for specified agricultural purposes and for limited time periods are necessary because of economic emergencies or production disasters. All loans and advances made pursuant to this section will carry the full personal liability of the borrower, shall be secured by crops or livestock and such additional collateral as is deemed necessary to afford reasonable assurance of repayment, and will be accompanied by a certificate of refusal of the loan or advance by a local bank or the production credit association serving the area: *Provided, however*, That the Secretary of Agriculture may authorize the Regional Agricultural Credit Corporation to reenter an area or region where an economic emergency or production disaster has occurred, in conformity with the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932, as amended (title 12, U. S. C. 1148).

Liability of borrower, etc.

Regional Agricultural Credit Corp.

47 Stat. 713. 12 U. S. C., Supp. I, § 1148.

Passenger motor vehicles.

SEC. 3. Within the unit limit of cost fixed by law the lump-sum appropriations made for the Department under this title shall be available for the purchase of passenger motor vehicles, and for the hire of such vehicles, necessary in the conduct of the work of the Department outside the District of Columbia, but the number of such vehicles purchased or otherwise acquired for all the activities of the Department for which appropriations are made under such title shall not exceed the total number indicated for purchase by the Department under the statements of proposed expenditures for purchase and hire of passenger motor vehicles in the Budget.

Employment of aliens.

SEC. 4. Provisions of law prohibiting or restricting the employment of aliens shall not apply to (1) the temporary employment of translators when competent citizen translators are not available; (2) employment in cases of emergency of persons in the field service of the Department for periods of not more than sixty days; and (3) employment under the appropriation for the Office of Foreign Agricultural Relations.

Ante, p. 512.

60 Stat. 903.

SEC. 5. Appropriations made in this title shall be available for health service programs as authorized by law (5 U. S. C. 150).

Post, p. 531.

60 Stat. 843.
Post, p. 1008.

SEC. 6. Appropriations and other funds available to the Department during the current fiscal year (except those appropriated or authorized in title II of this Act for such fiscal year) shall be available for the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 7. No part of any appropriation contained in this title shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this title shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than sixty days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

Affidavit.

Administration of oaths.

Penalty.

Emergency work.

Lump-sum leave payments.

SEC. 8. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave payments pursuant to the Act of December 21, 1944 (5 U. S. C. 61b–e).

58 Stat. 845.

Short title.

SEC. 9. This Act may be cited as the "Department of Agriculture Appropriation Act, 1949".

TITLE II—GOVERNMENT CORPORATIONS

Federal Crop Insurance Corp.

SEC. 201. The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Federal Crop Insurance Corporation for the current fiscal year, namely:

ADMINISTRATION OF FEDERAL CROP INSURANCE ACT

Operating expenses: For operating and administrative expenses, $3,725,000, including not to exceed $700 for newspapers, together with the unobligated balance of the appropriation for this purpose for fiscal year 1948 which shall be available to complete the orderly liquidation of the 1947 and prior crop year programs.

SEC. 202. The following corporations are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary to carry out the programs set forth in the budget for the current fiscal year for each such corporation, except as hereinafter provided:

59 Stat. 598.
31 U. S. C., Supp. I, § 849.

ADMINISTRATIVE EXPENSES, COMMODITY CREDIT CORPORATION

Commodity Credit Corporation: Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed $7,575,000 shall be available for administrative expenses of the Corporation, including not to exceed $400 for periodicals, maps, and newspapers: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Administrative expenses.

Nonadministrative expenses.

SEC. 203. The authorities, restrictions, and prohibitions specified under the head "General provisions" in the Government Corporations Appropriations Act, 1949, shall be applicable to title II of this Act.

Post, p. 1194.

Approved June 19, 1948.

[CHAPTER 544]

June 19, 1948
[H. R. 5889]
[Public Law 713]

AN ACT

To extend the provisions of title VI of the Public Health Service Act to the Virgin Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (a) of section 631 of the Public Health Service Act, as amended, is amended by inserting after "Puerto Rico" the following: "and the Virgin Islands".

Public Health Service Act, amendment.
60 Stat. 1046.
42 U. S. C. § 291i (a), (d).

(b) Paragraph (d) of such section is amended to read as follows:

"(d) the term 'State' includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, and the District of Columbia;".

Approved June 19, 1948.

[CHAPTER 545]

AN ACT

June 19, 1948
[H. R. 5891]
[Public Law 714]

To repeal an Act approved August 24, 1894, entitled "An Act to authorize the purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company", and all Acts amendatory thereof and supplemental thereto.

Choctaw, Oklahoma and Gulf Railroad Co.

Whereas Choctaw, Oklahoma and Gulf Railroad Company, a corporation created under and by virtue of the Act approved August 24, 1894, having become insolvent, and title to all of its railways and other properties, and ownership of all of its shares of capital stock, having passed to and become vested in Chicago, Rock Island and Pacific Railroad Company, a corporation of the State of Delaware, and all of its indebtedness discharged, by virtue of and pursuant to consummation order and final decree entered by the District Court of the United States for the Northern District of Illinois, Eastern Division, on December 30, 1947: Therefore

Repeal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August 24, 1894, entitled "An Act to authorize the purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that company" (28 Stat. L. 502), and all Acts amendatory thereof and supplementary thereto, be, and the same are hereby, repealed; and all the rights, powers, immunities, privileges, and franchises, which have been heretofore granted to or conferred upon Choctaw, Oklahoma and Gulf Railroad Company by any Act or Acts of Congress shall be, and the same are, terminated.

Approved June 19, 1948.

[CHAPTER 546]

AN ACT

June 19, 1948
[H. R. 5957]
[Public Law 715]

To provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Company stockade, and for other purposes.

Ft. Vancouver National Monument, Wash.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, to be known as the "Fort Vancouver National Monument", the Administrator of the War Assets Administration and the Secretary of the Army are authorized to transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property, real or personal, under their jurisdiction, including the site of the old Hudson's Bay Company stockade in the State of Washington, as they shall find to be surplus to the needs of their respective agencies, such properties to be selected, with their approval, by the Secretary of the Interior for inclusion within the national monument.

Total area.

SEC. 2. The total area of the national monument as established or as enlarged by transfers pursuant to this Act shall not exceed ninety acres. Establishment of the monument shall be effective, upon publication in the Federal Register of notice of such establishment, following the transfer to the Secretary of the Interior of administrative jurisdiction over such lands as the Secretary of the Interior shall deem to be sufficient for purposes of establishing the national monument. Additional lands may be added to the monument in accordance with the procedure prescribed in section 1 hereof, governing surplus

Additional lands.

properties, or by donation, subject to the maximum acreage limitation prescribed by this Act, upon publication of notice thereof in the Federal Register.

Administration, etc.

SEC. 3. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

16 U. S. C. §§ 1–4, 22, 43.

Approved June 19, 1948.

[CHAPTER 547]

AN ACT

June 19, 1948
[H. R. 5933]
[Public Law 716]

To amend section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, is hereby further amended to read as follows:

61 Stat. 737.
34 U. S. C., Supp. I, § 30c note.

"SEC. 202. During the period that appointments to the Regular Navy may be made pursuant to section 5 of the Act of April 18, 1946 (60 Stat. 92), appointments to the Medical Service Corps may be made in accordance with the provisions of the said Act, in addition to appointments authorized by section 203 of this title."

34 U. S. C. § 15; Supp. I, § 15.

61 Stat. 737.
34 U. S. C., Supp. I, § 30d.

Approved June 19, 1948.

[CHAPTER 548]

AN ACT

June 19, 1948
[H. R. 6073]
[Public Law 717]

To provide for the acquisition of lands for grazing and related purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of section 8 of the Act of June 28, 1934 (48 Stat. 1269, 1272), as amended by the Act of June 26, 1936 (49 Stat. 1976; 43 U. S. C., sec. 315g), is hereby amended to read as follows: "That where such action will promote the purposes of a district or facilitate the administration of the public lands, the Secretary is authorized to accept on behalf of the United States any lands within or without the exterior boundaries of a grazing district as a gift."

Acquisition of grazing land.

SEC. 2. The last sentence of section 9 of the Act of June 28, 1934 (48 Stat. 1269, 1273), is hereby amended by substituting for the words "the district" the following: "lands within or without the exterior boundaries of a grazing district".

43 U. S. C. § 315h.

Approved June 19, 1948.

[CHAPTER 549]

AN ACT

June 19, 1948
[H. R. 6110]
[Public Law 718]

To permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 4311 of the Revised Statutes (46 U. S. C. 251), Canadian fishing vessels engaged in the North Pacific halibut fishery only shall be permitted to land their catches of halibut and sable fish (black cod) in ports of entry in Alaska, upon compliance with applicable customs laws, during any period prior to January

Canadian fishing vessels.
Landing of halibut at Alaskan ports.

1, 1950, in which the Secretary of State finds and so notifies the Secretary of the Treasury that United States fishing vessels engaged in the North Pacific halibut fishery only are granted comparable privileges in ports of British Columbia.

Approved June 19, 1948.

[CHAPTER 550]

AN ACT

June 19, 1948
[H. R. 6113]
[Public Law 719]

To transfer certain land in Langlade County, Wisconsin, to the United States Forest Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the written consent of the majority of directors, Wisconsin Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby directed to convey, grant, transfer, and quitclaim forthwith to the United States, for subsequent administration as a part of the Nicolet National Forest and subject to the rules and regulations applicable to national-forest lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee, under an agreement of transfer dated May 16, 1937, with the Wisconsin Rural Rehabilitation Corporation, and situated in the county of Langlade, State of Wisconsin, together with the improvements thereon and the rights and the appurtenances thereunto belonging or appertaining: Township 33 north, range 9 east, fourth principal meridian, section 16, northwest quarter, north half northeast quarter, southwest quarter northeast quarter, and north half south half; section 17, northeast quarter; section 22, east half northwest quarter.

Langlade County, Wis.
Transfer of land.

16 U. S. C. §§ 552, 563, 513-519, 521, 480, 500.

SEC. 2. The Chief of the Forest Service is hereby directed to utilize, insofar as practicable, the property transferred pursuant to this Act as an experimental and demonstration forest. Such use is found to be in the general interest of rural rehabilitation.

Use of land.

SEC. 3. Any such transfer shall not be deemed to impose any liability upon the Secretary of Agriculture with respect to his obligation under such agreement to transfer of May 16, 1937.

Nonliability.

Approved June 19, 1948.

[CHAPTER 551]

AN ACT

June 19, 1948
[H. R. 6114]
[Public Law 720]

To amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sections of title I of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

Bankhead-Jones Farm Tenant Act, amendment.

SEC. 1. Amend subsection (b) (2) of section 3 to read:

50 Stat. 523.
7 U. S. C. § 1003 (b) (2).

"(2) provide for the payment of interest on the unpaid balance of the loan at the rate of 4 per centum per annum;".

SEC. 2. Amend subsection (c) (4) of section 12 to read:

60 Stat. 1076.
7 U. S. C. § 1005b (c) (4).

"(4) the mortgage instruments shall comply with section 3 (b), except that the base rate of interest shall be 3 per centum per annum;".

SEC. 3. Amend subsection (e) (1) of section 12 to read:

60 Stat. 1076.
7 U. S. C. § 1005b (e) (1).
Collection of charges.

"The Secretary shall collect from the mortgagor for mortgage insurance an annual charge at the rate of 1 per centum of the outstanding principal obligation of the mortgage; the initial charge

shall be collected simultaneously with the insurance of the mortgage and shall cover the period from the date of loan closing to the date of the first installment payable on the loan; the next and each succeeding charge shall be computed on the outstanding principal obligation remaining unpaid after the due date of each installment payable on the loan, and shall be payable on or before the next succeeding due date of an installment of principal and interest. If the principal obligation of the mortgage is paid in full in less than five years after the time when the mortgage was entered into, the Secretary may require payment by the mortgagor of the entire annual charge computed for the year then current, and an additional charge equal to the annual charge for such year. The Secretary may modify existing contracts so as to require future payments thereunder in accordance with the provisions of this section."

60 Stat. 1077.
7 U. S. C. § 1005b (f).

SEC. 4. Amend subsection (f) of section 12 by striking out subsections (2) and (3), and inserting in lieu thereof the following new subsections (2), (3), and (4).

Failure of mortgagor to pay amount due.

"(2) If the mortgagor has failed to pay to the Secretary the full amount of any installment on or before the due date thereof, the Secretary shall pay promptly the unpaid amount of such installment of principal and interest to the mortgagee, less the amount of any previous prepayments except payments from proceeds from the voluntary or involuntary sale of any part of the mortgaged property or from royalties from leases under which the value of the security is depreciated.

Failure of mortgagor to pay special taxes, etc.

"(3) If the mortgagor fails to pay any amounts due for taxes, special assessments, water rates, and other amounts which may become liens prior to the mortgage, and any amounts due for property insurance premiums, such amounts may be paid by the Secretary, either before or after assignment of the insured mortgage to the Secretary, for the account of the mortgagor as provided in paragraph (4) below.

Advances.

"(4) Payments by the Secretary under paragraphs (2) and (3) shall be advanced out of the fund for the account of the mortgagor. Such advances shall be repaid to the fund out of the first available collections received from the mortgagor. Such advances shall bear interest at the rate fixed in the insured mortgage payable out of any subsequent collections, and, until repaid, the advance and interest thereon shall be added to subsequent installments."

60 Stat. 1076.
7 U. S. C. § 1005b.

SEC. 5. Amend section 12 by adding at the end thereof the following new subsection (j).

Assignment of mortgage, etc.

"(j) The Secretary is authorized to enter into agreements from time to time with the holder of a mortgage heretofore or hereafter insured under this title that any holder thereof, at the holder's option, shall be entitled, upon assignment of such mortgage to the Secretary within one year after the expiration of a period fixed by such agreement, to have the mortgage purchased by the Secretary even though the mortgage is not then in default, provided the initial fixed period shall be not less than five years from the date of the insured mortgage. Such assignment shall be accomplished in the same manner and the value of such mortgage shall be determined on the same basis as provided by section 13 for mortgages in default. The Secretary may purchase any such mortgage with moneys in the fund and may sell it at its value likewise determined in accordance with section 13 at the time he sells it, and reinsure it, if necessary, or he may retain it for the account of the fund until the indebtedness is discharged through refinancing by the mortgagor, by foreclosure, or otherwise. The value of all such mortgages retained for the fund as herein provided shall not be included in computing the aggregate amount of mortgage obligations that may be insured in any one fiscal year, as provided in section 12 (b). If there should not be sufficient cash in the fund to enable the Secretary to make payments to purchase

60 Stat. 1077.
7 U. S. C. § 1005c.

60 Stat. 1076.
7 U. S. C. § 1005b (b).

mortgages as provided in this subsection, in order to obtain funds to make such payments notes may be issued and purchased in the same manner as provided in section 13."

60 Stat. 1078. 7 U. S. C. § 1005d.

SEC. 6. Amend subsection (a) of section 14 by adding at the end thereof the following sentence: "Expenses and fees incident to foreclosure may be advanced out of the fund for the account of the mortgagor."

50 Stat. 531. 7 U. S. C. §§ 1025, 1024.

SEC. 7. Amend subsection (b) of section 14 to read:

"(b) Amounts realized under section 51 on account of property which was subject to an insured mortgage shall be deposited in the fund. Amounts payable by the Secretary under section 50 with respect to such property, and any necessary costs and expenditures for the operation, preservation, and protection of such property, shall be paid out of the fund."

Approved June 19, 1948.

[CHAPTER 552]

AN ACT

June 19, 1948 [H. R. 6229] [Public Law 721]

To authorize the extension of leases of certain land in the Territory of Hawaii.

Hawaii. Extension of lease of certain land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where a lessee of water-front lands in the Territory of Hawaii under lease on April 1, 1946, has spent substantial sums in repairing or replacing improvements on such lands damaged or destroyed by the tidal wave of that date, then notwithstanding any provision of the Organic Act of Hawaii (31 Stat. 141), as amended, or of the laws of the Territory of Hawaii, the Commissioner of Public Lands of the Territory of Hawaii, at the request of the lessee, in his discretion may extend the term of the lease at the original rental: *Provided*, That no lease is extended beyond March 31, 1967.

48 U. S. C. § 493 note.

Expiration date.

Approved June 19, 1948.

[CHAPTER 553]

AN ACT

June 19, 1948 [H. R. 6234] [Public Law 722]

To authorize the establishment of internships in the Department of Medicine and Surgery of the Veterans' Administration.

Veterans' Administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b), section 14, of the Act of January 3, 1946 (59 Stat. 679; 38 U. S. C. 15m (b)), is hereby amended to read as follows:

Internships, etc.

"(b) The Administrator shall have authority to establish residencies and internships; to appoint qualified persons to such positions without regard to civil-service or classification laws, rules, or regulations; and to prescribe the conditions of such employment, including necessary training, and the customary amount and terms of pay during the period of such employment and training."

Approved June 19, 1948.

[CHAPTER 554]

AN ACT

June 19, 1948 [H. R. 6339] [Public Law 723]

To amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title.

Public Health Service Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d)

of section 623 of the Public Health Service Act, as amended, is amended to read:

60 Stat. 1044.
42 U. S. C. § 291f (d).

"(d) If any State, prior to July 1, 1948, has not enacted legislation providing that compliance with minimum standards of maintenance and operation shall be required prior to that date (or, at the option of the State, required within such time after enactment of the legislation as the Surgeon General finds reasonable) in the case of hospitals which shall have received Federal aid under this title, such State shall not be entitled to any further allotments under section 624 until such time as such State has enacted such legislation. Upon enactment of such legislation after July 1, 1948, the prohibition in this subsection against further allotments to such State under this part shall no longer be effective and such State shall, subject to the other requirements of this part, be entitled to allotments under section 624 for the fiscal year in which such legislation is enacted and for the preceding fiscal year."

Allotments to States for construction.

60 Stat. 1045.
42 U. S. C. § 291g.
Post, p. 1103.

Approved June 19, 1948.

[CHAPTER 555]

AN ACT

June 19, 1948
[H. R. 6430]
[Public Law 724]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1949, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1949, out of (1) the general fund of the District of Columbia, hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and $11,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1948), (2) highway funds, established by law (D. C. Code, title 47, ch. 19), and (3) the water fund, established by law (D. C. Code, title 43, ch. 15) and $1,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1948), sums as follows:

District of Columbia Appropriation Act, 1949.

D. C. Code, Supp. VI, 47 ch. 19.
D. C. Code, Supp. VI, 43 ch. 15.

From the general fund: All sums appropriated under the following heads: General administration, fiscal service, compensation and retirement fund expenses, regulatory agencies, public schools, Public Library, Recreation Department, Metropolitan Police, Fire Department, policemen's and firemen's relief, Veterans' Services, courts, Health Department, Department of Corrections, public welfare, public works (excluding those items designated as payable from the highway and water funds), National Guard, National Capital Parks, National Capital Park and Planning Commission, and National Zoological Park;

From the highway fund: All sums appropriated under public works designated as payable from the highway fund; and

Post, p. 554.

From the water fund: All sums appropriated under public works and Washington aqueduct, designated as payable from the water fund; namely:

GENERAL ADMINISTRATION

For expenses necessary for the offices named under this general head:

Executive office, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional

42 Stat. 1488. 5 U. S. C. §§ 661–674.

service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; six members of the Apprenticeship Council at $120 per annum each; $250 to aid in support of the National Conference of Commissioners on Uniform State Laws; general advertising in newspapers and legal periodicals in the District of Columbia but not elsewhere, unless the need for advertising outside the District of Columbia shall have been specifically approved by the Commissioners, including notices of public hearings, publication of orders and regulations, tax and school notices, and notices of changes in regulations; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and $20,000 for expenses in case of emergency, such as riot, pestilence, public insanitary conditions, flood, fire, or storm, and for expenses of investigations; $224,100: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of $1,500 of this appropriation for such purposes as they may deem necessary.

National Conference of Commissioners on Uniform State Laws.

60 Stat. 810.

Office of the corporation counsel, including extra compensation for the corporation counsel as general counsel of the Public Utilities Commission; $4,500 for the settlement of claims not in excess of $250 each, approved by the Commissioners in accordance with the Act approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and judicial expenses, including witness fees and expert services, in District of Columbia cases before the courts of the United States and of the District of Columbia; $238,600.

D. C. Code §§ 1–902 to 1–905.

Board of Tax Appeals, $19,500.

FISCAL SERVICE

For expenses necessary for the offices named under this general head:

Assessor's office, including advertising notice of taxes in arrears July 1, 1948, to be reimbursed by a charge of 75 cents for each lot or piece of property advertised, $594,000: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one newspaper published in the District of Columbia.

Collector's office, including refunding, wholly or in part, erroneous payments of taxes, special assessments, school tuition charges, payment for lost library books, rents, fines, fees, or collections of any character, which have been erroneously covered into the Treasury to the credit of the general fund, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), $316,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

D. C. Code § 5–430.

Auditor's office, $418,400.

Purchasing Division, $91,900.

COMPENSATION AND RETIREMENT FUND EXPENSES

For compensation and retirement fund expenses, as follows:

District government employees' compensation: For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, authorizing compensation for employees of the government of the District of Columbia suffering injuries while in the performance of their duties, $80,000.

41 Stat. 104. D. C. Code § 1–311.

Workmen's compensation, administrative expenses: For transfer to the Bureau of Employees' Compensation for administration of the law providing compensation for disability or death resulting from

injury to employees in certain employments in the District of Columbia, $110,000.

District government employees' retirement: For financing of the liability of the government of the District of Columbia, created by the Act approved May 22, 1920, as amended (5 U. S. C. 707a), $2,032,000, which amount shall be placed to the credit of the "Civil service retirement and disability fund". Retirement Act, contribution. 41 Stat. 614.

REGULATORY AGENCIES

For expenses necessary for agencies named under this general head:

Alcoholic Beverage Control Board, including $1,000 for the purchase of samples, $89,400.

Board of Parole, $59,400.

Coroner's office, including juror fees, and repairs to the morgue, $48,300.

Department of Insurance, $78,300.

Department of Weights, Measures, and Markets, including maintenance and repairs to markets, $2,500 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, $145,200: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Director of the Department of Weights, Measures, and Markets, upon requisition previously approved by the Auditor of the District of Columbia, sums of money, not exceeding $200 at any one time, to be used exclusively in connection with investigations and detection of short weights and measures. Advances.

License bureau, $46,100.

Minimum Wage and Industrial Safety Board, $61,600.

Office of Administrator of Rent Control, $100,000.

Office of Recorder of Deeds, $200,000.

Poundmaster's office, including uniforms for dog catchers, $33,600.

Public Utilities Commission, $129,000: *Provided*, That no appropriation in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission: *Provided further*, That the foregoing provision shall not be construed to prevent the Public Utilities Commission from holding a hearing upon any application that may be made for the installation of meters in taxicabs. Meters in taxicabs.

Zoning Commission, $30,800.

PUBLIC SCHOOLS

OPERATING EXPENSES

General administration: For expenses necessary for the general administration of the public-school system of the District of Columbia, $582,000.

General supervision and instruction: For expenses necessary for supervision, instruction, and education in the teachers colleges and in the day, evening, and summer public schools of the District of Columbia, and the education of foreigners of all ages in the Americanization schools; including textbooks; and subsistence supplies for pupils attending the schools for crippled children; $13,764,500, of which $200,000 shall be immediately available. *Ante*, p. 429.

Vocational education, George-Barden program: For expenses necessary for the development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936, as amended, including allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed $100 per annum for each automobile), $195,900.

49 Stat. 1488.
20 U. S. C. §§ 15h-15q.

Operation of buildings and grounds and maintenance of equipment: For expenses necessary for the operation of school buildings and grounds and the purchase and repair of equipment, purchase, operation, and maintenance of passenger-carrying motor vehicles, including insurance of District-owned or borrowed passenger motor vehicles, $2,632,000.

Repairs and maintenance of buildings and grounds: For expenses necessary for the repair, maintenance, and improvement of school buildings, mechanical equipment, and school grounds, $1,059,000: *Provided*, That this appropriation shall be available for making repairs to other municipal buildings, subject to reimbursement from other applicable appropriations for the cost of such work, and a report of all such expenditures shall be submitted to Congress in the annual Budget.

Repairs to other municipal buildings.

Report to Congress.

Deaf and dumb, and blind persons.

Auxiliary educational services: For the maintenance and instruction of deaf and dumb persons of the District of Columbia admitted to the Columbia Institution for the Deaf, and for the maintenance and instruction of colored deaf mutes of teachable age, and blind children, of the District of Columbia, in Maryland or some other State, by contract entered into by the Commissioners, for the transportation of children attending schools or classes established by the Board of Education for physically handicapped children, and for carrying out the provisions of the Act of December 16, 1944 (58 Stat. 811), $96,600.

Teachers' retirement appropriated fund: To carry out the Act of January 15, 1920, as amended by the Act of June 11, 1926 (44 Stat. 727), and the Act of August 7, 1946, as amended by the Act of August 4, 1947 (Public Law 351), $1,707,000: *Provided*, That the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury, and the Commissioners are authorized to expend from money to the credit of the teachers' retirement fund not exceeding $5,000 per annum for this purpose, including personal services, without regard to the civil-service and classification laws.

41 Stat. 387.
D. C. Code §§ 31-701 to 31-720.
60 Stat. 875; 61 Stat. 750.
D. C. Code, Supp. VI, §§ 31-721 to 31-739.
Estimates; actuarial valuations.

CAPITAL OUTLAY

For furnishing and equipping the following school buildings: Armstrong Senior High School, Beers Elementary School, Birney Elementary School, Dunbar Senior High School, Francis Junior High School, Miller Junior High School, Montgomery Elementary School, Phelps Vocational High School, Sousa Junior High School, Taft Junior High School, Walker-Jones Elementary School, and Western Senior High School, $420,000, to remain available until expended.

For construction, as follows:

Construction of school buildings.

For completing construction of the Miller Junior High School, including recreation facilities and treatment of grounds, to be located in the vicinity of Forty-ninth Street and Washington Place Northeast, $817,573;

For continuing construction of a new twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity

of Third and L Streets Northwest, to replace the present Walker and Jones Schools, $260,500, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1948, is hereby increased to $730,000; 61 Stat. 429.

For completing construction of an eight-room addition to the Kimball Elementary School, including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, $75,000;

For completing construction of a new twenty-four-room elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of East Capitol Street and Benning Road Southeast (Nalle), $164,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1948, is hereby increased to $755,000; 61 Stat. 429.

For continuing construction of a new junior high-school building (Sousa), including recreation facilities and treatment of grounds, to be located in the vicinity of Thirty-fourth Street and Minnesota Avenue Southeast, $670,000;

For completing construction of a sixteen-room elementary-school building (Montgomery), including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of New Jersey Avenue and P Street Northwest, to replace the present Morse and Twining Elementary Schools, $439,280;

For completing construction of an eight-room addition to the Beers Elementary School including an assembly hall-gymnasium, recreation facilities, necessary remodeling of the present building, and treatment of grounds, $337,800;

For continuing construction of a twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Nichols Avenue and Sumner Road Southeast, to replace the present Birney permanent and temporary buildings, $510,000, and the contract authorization for said building specified in the District of Columbia Appropriation Act, 1948, is hereby increased to $790,000; 61 Stat. 430.

For completing construction of an addition to the Taft Junior High School, including ten classrooms, two gymnasiums, recreation facilities, an inclined floor in the auditorium, necessary improvements and alterations of the present building, and treatment of grounds, $297,030;

For completing construction of an eight-room addition to the Young Elementary School, including necessary remodeling of the present building, and treatment of grounds, $155,000;

For completing construction of a new elementary-school building, including an assembly hall-gymnasium, recreation facilities, and treatment of grounds, in the vicinity of Eleventh and G Streets Southeast, to replace the present Cranch and Tyler Schools, $209,500;

For beginning construction of a twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds, in the vicinity of Good Hope and Naylor Roads Southeast, to replace the present Stanton permanent and temporary buildings, $300,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed $825,000: *Provided*, That not to exceed $17,190 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building, and the amount appropriated in the District of Columbia Appropriation Act, 1946, for plans and specifications for a new sixteen-room extensible elementary-school building

Transfer of funds.

59 Stat. 277.

to replace the present Stanton permanent and temporary buildings shall be available for plans and specifications for the building specified herein;

For beginning construction of a twenty-four-room elementary-school building, including auditorium, lunchroom, physical education and recreation facilities, and treatment of grounds in the vicinity of Oxon Run Southeast, $200,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed $825,000: *Provided*, That not to exceed $24,750 of the amount herein appropriated may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

Transfer of funds.

For the completion of the assembly-hall gymnasium and playroom at the Patterson Elementary School, $60,000;

In all, for construction, including preparation of plans and specifications, $4,495,683, to be immediately available as one fund and to remain available until expended, to be disbursed and accounted for as "Capital outlay, construction, public schools, District of Columbia", and transfers may be made between limits of costs available in the fiscal year 1948 and provided herein but the cost limitation for any one project shall not be increased by more than 10 per centum by such transfers.

Purchase of sites.

For the purchase of a site as follows:

In the vicinity of Oxon Run Southeast, to provide for a new extensible twenty-four-room elementary school, and for school-playground purposes, $50,000, to remain available until expended and to be disbursed and accounted for as "Capital outlay, school building and playground sites, District of Columbia".

The appropriations for the purchase of a site at the Shaw Junior High School, to replace the present playground space needed for building alterations, and to provide additional playground space, in the District of Columbia Appropriation Act, 1945, and in the District of Columbia Appropriation Act, 1947, shall cease to be available for the purchase of land at such location but are hereby made available for the purchase of a site in the vicinity of Sixth and O Streets, Northwest, for the construction of a new junior high school building to replace the present Shaw Junior High School.

58 Stat. 515.
60 Stat. 507.

SURVEY OF PUBLIC SCHOOLS

For a complete survey of the public-school system of the District of Columbia with respect to the adequacy of the present plant and personnel, as well as educational methods and practices, to serve the District, said survey to be conducted under the supervision of a person qualified by training and experience in the field of public-school education to be appointed by the chairmen of the subcommittees on District of Columbia appropriations of the respective appropriation committees of the Senate and the House of Representatives at a salary of $1,000 per month and $300 per month for expenses, $100,000: *Provided*, That the person so appointed to supervise the said survey is authorized to employ necessary assistants at rates of pay to be approved by the chairmen of the said subcommittees, and the said director may request and be entitled to obtain such clerical assistance as he may deem necessary from agencies of the District of Columbia: *Provided further*, That the said director shall make a full report to the aforesaid chairmen prior to March 1, 1949, setting forth the results of the survey and his recommendations.

Appointment of supervisor.

Employment of assistants.

Report to Congressional committees.

Double salaries.
39 Stat. 120.
5 U. S. C. §§ 58, 59.

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1948, to teachers of the public schools of the District

of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the free instruction of pupils who dwell outside the District of Columbia.

Free instruction of pupils outside D. C.

PUBLIC LIBRARY

For expenses necessary for the operation of the Public Library, including extra services on Sundays and holidays; newspapers, books, periodicals, and other printed material, including payment in advance for subscription thereto; music records, sound recordings, and educational films; alterations, repairs; fitting up buildings; care of grounds; and rent of suitable quarters for branch libraries in Anacostia, Chevy Chase, and Woodridge, without reference to section 6 of the District of Columbia Appropriation Act, 1945; $1,201,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Public Library, upon requisition previously approved by the Auditor of the District of Columbia, not exceeding $50 at the first of each month, for the purchase of certain books, pamphlets, periodicals, or newspapers, or other printed material.

58 Stat. 532.

The unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for the new central building of the Public Library of the District of Columbia shall remain available for the same purposes and under the same conditions and limitations until June 30, 1949.

53 Stat. 1011.

RECREATION DEPARTMENT

Operating expenses: For expenses necessary for operation and maintenance of recreation facilities in and for the District of Columbia, $1,072,000.

Capital outlay: For improvement of various recreation units, including erection of recreation structures, preparation of architectural and landscape architectural plans, and reimbursement to the United States of funds advanced in compliance with section 501 of the Act of October 3, 1944 (58 Stat. 791), $281,000.

50 U. S. C. app. § 1671.

The disbursing officer of the District of Columbia is authorized to advance to the superintendent of recreation, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as the Commissioners may require of said superintendent, sums of money to be used for the expense of conducting activities of the Recreation Board under the trust fund created by the Act of April 29, 1942, the total of such advancements not to exceed $2,000 at any one time.

Advances.

56 Stat. 261. D. C. Code, Supp. VI, §§ 8-201 to 8-219.

METROPOLITAN POLICE

For expenses necessary for the Metropolitan Police, including pay and allowances; one inspector who shall be property clerk; the present acting sergeant in charge of police automobiles with the rank and pay of sergeant; the present acting sergeant in charge of the police radio station with the rank and pay of lieutenant; the present sergeant in charge of purchasing and accounts with the rank and pay of lieutenant; corporals at $3,669 per annum each; technicians with basic salary increase of $325 per annum each; not to exceed four detectives in the salary grade of captain; probational detectives with basic salary increase of $163 per annum each; allowances for privately owned automobiles used by inspectors in the performance of official duties at $480 per annum for each automobile; meals for prisoners; rewards for fugitives; medals of award; photographs; rental and maintenance

Technicians.

of teletype system; travel expenses incurred in prevention and detection of crime; expenses of attendance, without loss of pay or time, at specialized police training classes and pistol matches, including tuition and entrance fees; expenses of the police training school, including travel expenses of visiting lecturers or experts in criminology; police equipment and repairs to same; insignia of office, uniforms, and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; expenses of harbor patrol; and the maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise; $6,232,000, of which amount $16,000 shall be exclusively available for expenditure by the Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Prevention and detection of crime.

For expenses necessary to enable the Commissioners of the District of Columbia to receive and entertain visiting dignitaries, pursuant to the provisions of the Act of July 11, 1947 (Public Law 180), $10,000.

61 Stat. 314.

For all expenses necessary to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District from January 15 to January 26, 1949, in connection with inaugural ceremonies, including personal services without regard to the civil-service and classification laws; travel expenses of enforcement personnel from other jurisdictions; hire of means of transportation; meals for policemen; cost of removing and relocating streetcar loading platforms; and construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; $37,100.

Maintenance of public order, etc., from Jan. 15 to Jan. 26, 1949.
Ante, p. 286.

The disbursing officer of the District of Columbia is authorized to advance to the Superintendent of Police upon the approval of the Commissioners, sums of money to be used in the prevention and detection of crime, the total of such advancements not to exceed $5,000 at any one time.

Advances.

FIRE DEPARTMENT

For expenses necessary for the Fire Department, including pay and allowances; uniforms and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase of passenger motor vehicles; repairs and improvements to buildings and grounds; $3,653,000: *Provided*, That the Commissioners, in their discretion, may authorize the construction, in whole or in part, of fire-fighting apparatus in the Fire Department repair shop.

Capital outlay, Fire Department: For an additional amount for the acquisition of sites for fire-engine houses in the vicinity of Forty-ninth and East Capitol Streets Southeast and in the vicinity of Twenty-fourth and Irving Streets Southeast, and for the purchase of fire-alarm systems, $15,000, to remain available until expended.

POLICEMEN'S AND FIREMEN'S RELIEF

For policemen's and firemen's relief and other allowances as authorized by law, $2,500,000.

VETERANS' SERVICES

For expenses necessary to provide services to veterans and war workers, including personal services without regard to classification or civil-service laws, $121,400.

COURTS

District of Columbia courts: For expenses of the following District of Columbia courts, including witness fees and compensation of jurors; lodging and meals for jurors, bailiffs, and deputy United States marshals while in attendance upon jurors, when ordered by the courts; and meals for prisoners:

Juvenile court, $257,600, of which $556 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d), and of which $15,000 shall be available for payment to the United States Public Health Service for furnishing psychiatric service, including the detail of necessary medical and other personnel: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, not to exceed $50 at any one time, to be expended for travel expenses to secure the return of absconding probationers.

58 Stat. 394.
Post, p. 1049.

Return of absconding probationers.

Municipal court, including pay of retired judges and $800 for deposit in the Treasury for penalty mail (39 U. S. C. 321d), $484,600: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

58 Stat. 394.
Post, p. 1049.
Deposits for jury trials.

D. C. Code § 11-722.

Municipal court of appeals, $75,200 of which $300 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).

58 Stat. 394.
Post, p. 1049.
Reimbursements.

United States courts: For reimbursement to the United States for services rendered to the District of Columbia by the Judiciary and the Department of Justice as specified under the head "United States courts for the District of Columbia" in the Judiciary Appropriation Act, 1949, and in the Department of Justice Appropriation Act, 1949, $934,000.

Ante, pp. 329, 321.

Probation system: For expenses necessary for the probation system, including $150 for deposit in the Treasury for penalty mail (39 U. S. C. 321d), $51,600.

58 Stat. 394.
Post, p. 1049.

Office of Register of Wills: For expenses necessary for the Office of Register of Wills, including $700 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); and contract statistical services, $143,000.

58 Stat. 394.
Post, p. 1049.

Commission on Mental Health: For expenses necessary for the Commission on Mental Health, including an executive secretary at $4,150 per annum and physician-members at $5,153 per annum, $39,700, of which $1,000 shall be available for the payment of fees to attorneys appointed in accordance with the Act of June 8, 1938 (52 Stat. 625), not exceeding $25 in any one case.

D. C. Code § 21-308.

HEALTH DEPARTMENT

Operating expenses, Health Department (excluding hospitals): For expenses necessary for the general administration, medical services, laboratories, and inspection services of the Health Department, including the enforcement of the Acts relating to the preven-

tion of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work in school; the maintenance of a dental-health service; the maintenance of a maternal and child-health service; housekeeping assistance in cases of authentic indigent sick at salary rates to be fixed by the Commissioners; the maintenance of a service for the care of handicapped and crippled children; the maintenance of a cancer-control project; the maintenance of a public health engineering service; the maintenance of a nursing service; the maintenance of a psychiatric service; the maintenance of an emergency ambulance service; the operation and maintenance of laboratories; out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians at rates to be fixed by the Commissioners, and the enforcement of the Acts relating to the drainage of lots and abatement of nuisances in the District of Columbia, the Act relating to the adulteration of foods, drugs, and candy, the Act relating to the manufacture and sale of mattresses, the Act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, the Act relating to the licensing of undertakers, the Uniform Narcotic Drug Act, and the Act relating to the sale of milk, cream, and ice cream; such expenses to include one physician at $6,145 per annum to be appointed without regard to civil-service laws; contract investigational service; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); uniforms; rent; purchase of passenger motor vehicles; manufacture of serum in indigent cases; and allowances for privately owned automobiles used for the performance of official duties (not to exceed $264 per annum for each automobile for employees other than dairy-farm inspectors and 4 cents per mile but not more than $480 per annum for each automobile for dairy-farm inspectors); $2,042,000: *Provided*, That the Commissioners may, without creating any obligation for the payment of money on account thereof, accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the medical services herein provided for: *Provided further*, That not to exceed $200 may be expended for special services in detecting adulteration of drugs and foods, including candy and milk.

52 Stat. 785. D. C. Code §§ 33-401 to 33-425.

60 Stat. 810.

Automobile allowances.

Volunteer services.

Special services.

Operating expenses, Glenn Dale Tuberculosis Sanatorium: For expenses necessary for the Tuberculosis Sanatorium at Glenn Dale, Maryland, including compensation of consulting physicians at rates to be fixed by the Commissioners; classroom supplies; and repairs and improvements to buildings and grounds; $1,908,000, of which not to exceed $5,000 shall be for the compensation of convalescent patients to be employed in essential work of the sanatorium and as an aid to their rehabilitation at rates and under conditions to be determined by the Commissioners; but nothing in this paragraph shall be construed as conferring employee status on patients whose services are so utilized.

Capital outlay, Glenn Dale Tuberculosis Sanatorium: For the construction of an apartment house for medical officers, $65,000.

Operating expenses, Gallinger Municipal Hospital: For expenses necessary for Gallinger Municipal Hospital and the Tuberculosis Hospital at Fourteenth and Upshur Streets Northwest including one superintendent at $9,975 per annum plus $1,500 per annum for a residence; one deputy superintendent at $7,581 per annum; not to exceed six full-time chief medical officers at $7,581 per annum each and two associate medical officers at $5,905 per annum each, to be appointed without reference to civil-service requirements; musical instruments

and music; expenses of commencement exercises, entertainments, and the training school for nurses; expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; and repairs and improvements to buildings and grounds; $3,605,500.

Capital outlay, Gallinger Municipal Hospital: For an additional amount for the construction of an incinerator, $15,000.

The unexpended balance of the appropriation of $620,000 contained in the District of Columbia Appropriation Act, 1946, for the construction of a new pediatrics building is made available for a combination pediatrics and crippled children's building, including $60,000 for additional construction services, and the Commissioners are authorized to enter into a contract or contracts for the construction of such combination pediatrics and crippled children's building at a total cost of not to exceed $2,050,000. 59 Stat. 282.

Not to exceed $5,340 of the unexpended balance of the appropriation of $190,000 contained in the District of Columbia Appropriation Act, 1946, for the construction of a laboratory building is made available as an additional amount for the preparation of plans and specifications for a laboratory building, and the Commissioners are authorized to enter into a contract or contracts for the construction of such laboratory building at a total cost of not to exceed $478,000. 59 Stat. 282.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Central Dispensary and Emergency Hospital; Children's Hospital; Columbia Hospital and Lying-in Asylum; Eastern Dispensary and Casualty Hospital; Episcopal Eye, Ear, and Throat Hospital; Garfield Memorial Hospital; George Washington University Hospital; Georgetown University Hospital; Providence Hospital; and Washington Home for Incurables; in all, $735,000: *Provided*, That the in-patient rate shall not exceed $9 per diem and the out-patient rate shall not exceed $2 per visit. Patient rates.

Columbia Hospital and Lying-in Asylum: For general repairs, including labor and material to be expended under the direction of the Architect of the Capitol, $5,000.

Freedmen's Hospital: For reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital, as specified under the head, "Freedmen's Hospital", in the Federal Security Agency Appropriation Act, 1949, $400,000: *Provided*, That the in-patient rate shall not exceed $9 per diem and the out-patient rate shall not exceed $2 per visit. *Ante*, p. 397. Patient rates.

DEPARTMENT OF CORRECTIONS

Operating expenses: For expenses necessary for the Department of Corrections, including subsistence of interns; compensation of consulting physicians, dentists, and other specialists at rates to be fixed by the Commissioners; attendance of guards at pistol and rifle matches; uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; rental of motion-picture films; repairs and improvements to buildings and grounds; purchase of motorbusses; support, maintenance, and transportation of prisoners transferred from the District of Columbia; interment or transporting the remains of deceased prisoners to their relatives or friends in the United States; electrocutions; identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped inmates and parole and conditional-release

violators; and returning released prisoners to their residences, or to such other place within the United States as may be authorized by the Director, and the furnishing of suitable clothing and, in the discretion of the Director, an amount of money not to exceed $30, regardless of length of sentence, $2,606,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the Director, Department of Corrections, upon requisitions previously approved by the Auditor of the District of Columbia and upon such security as the Commissioners may require of said Director, sums of money not exceeding $500 at one time, to be used only for expenses in returning escaped prisoners, conditional releasees, and parolees: *Provided further*, That not to exceed $23,000 of the amount appropriated for "Operating expenses, adult correctional services", District of Columbia Appropriation Act, 1947, and the unexpended balance of the amount of $116,600 appropriated for "Capital outlay, structural improvements at the jail", District of Columbia Appropriation Act, 1947, are continued available until June 30, 1949.

Advances.

60 Stat. 514.

60 Stat. 514.

PUBLIC WELFARE

For expenses necessary for the general administration of public welfare in the District of Columbia, including contract investigational services; $96,900.

Agency services: For expenses necessary for certification of persons eligible for any public benefits which are or may become available as may be approved by the Commissioners, relief and rehabilitation for purposes of employment of indigent residents of the District of Columbia, to be expended under rules and regulations prescribed by the Commissioners; vocational rehabilitation of disabled residents of the District of Columbia in accordance with the provisions of the Act of July 6, 1943 (Public Law 113); aid to dependent children in accordance with the provisions of the Act of June 14, 1944 (Public Law 340); assistance against old-age want, as authorized by law, aid for needy blind persons, as authorized by law; services for children in their own homes; distribution of surplus commodities and relief milk to public and charitable institutions; $135,200 for necessary expenses, including personal services without regard to the Classification Act of 1923, as amended, for the carrying out, under regulations to be prescribed by the Commissioners of a "penny milk" program for the school children of the District, including the purchase and distribution of milk under agreement with the United States Department of Agriculture, and for the carrying out of a food-conservation program in the District of Columbia, including "Victory" gardens and the canning of the products thereof; maintenance pending transportation, and transportation, of indigent nonresident persons; transportation of other indigent persons, including veterans and their families; deportation of nonresident insane persons, as provided by law, including persons held in the psychopathic ward of the Gallinger Municipal Hospital; burial of indigent residents of the District of Columbia; for placing and visiting children; board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District, including white girls committed to the National Training School for Girls and all children accepted by said Board for care as authorized by law; temporary care of children pending investigation or while being transferred from place to place, with authority to pay for the care of children in institutions under sectarian control; for continuous maintenance of foster homes for temporary or emergency board and care of nondelinquent children; care and maintenance of women and children under contracts to be made by the Board of Public Welfare and approved by the Commis-

57 Stat. 374.
29 U. S. C. §§ 31–41.
58 Stat. 277.
D. C. Code, Supp. VI, §§ 32–751 to 32–765.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

"Penny milk" program.

"Victory" gardens.

sioners with the Florence Crittenton Home, Saint Ann's Infant Asylum and Maternity Hospital, the House of Mercy, and other institutions caring for unmarried mothers; and for burial of children dying while beneficiaries under this appropriation; including repair and upkeep of building; $3,485,200: *Provided*, That collections from the milk programs shall be paid to the collector of taxes, District of Columbia, for deposit in the Treasury of the United States to the credit of the District, and that reimbursement for canning of "Victory" garden products shall be in kind and for the benefit of public-welfare institutions of the District of Columbia: *Provided further*, That no part of this appropriation shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside of the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and said Board shall have power to discharge from guardianship any child committed to its care: *Provided further*, That employees using privately owned automobiles for the deportation of nonresident insane, the transportation of indigent persons, or the placing of children may be reimbursed as authorized by section 3 of the Act of August 2, 1946 (60 Stat. 806), but not to exceed $900 for any one individual.

Collections from milk programs.

Visits to wards outside D. C., Va., and Md.

Use of privately owned automobiles.

5 U. S. C. § 73a.

Operating expenses, protective institutions: For expenses necessary for the operation of the Industrial Home School, the Industrial Home School for Colored Children, the National Training School for Girls, the Municipal Lodging House, the Home for the Aged and Infirm, the District Training School; Temporary Home for Former Soldiers, Sailors, and Marines; maintenance, under jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise; including subsistence of interns; compensation of consulting physicians and veterinarians at rates to be fixed by the Commissioners; repairs and improvements to buildings and grounds; securing suitable homes for paroled or discharged children; and care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the Attorney General at a rate of not to exceed $3 per day for each boy so committed; purchase of passenger motor vehicles; $2,244,400: *Provided*, That no part of this appropriation shall be used for the maintenance of white girls in the National Training School for Girls: *Provided further*, That the salary of the superintendent of the National Training School for Girls shall be at the rate of $4,526 per annum.

Restriction on use of funds.

Salary of superintendent.

Capital outlay, protective institutions: For an additional amount for the construction of a receiving home and classification center in parcel 141/68, including equipment, and treatment of grounds, $36,600; beginning the construction of a residence for employees and a residence for the medical staff at the District Training School, $180,000, including $10,950 for construction services; and the Commissioners are authorized to enter into a contract or contracts for the construction of such residences at a total cost of not to exceed $365,000; and a preliminary study for the construction of a children's center, $5,000; in all, $221,600.

Saint Elizabeths Hospital: For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, $6,682,000: *Provided*, That hereafter the funds of the District of

Residence requirement.

Columbia shall not be available for the care of any person admitted hereafter to Saint Elizabeths Hospital who has not lived in the District of Columbia for more than one year immediately prior to application for voluntary admission or the filing of the petition provided for in the Act approved June 8, 1938, as amended: *Provided further*, That nothing herein shall be construed to limit or otherwise modify any authority of Saint Elizabeths Hospital or its Superintendent pursuant to law to admit, receive, detain, or care for any individual.

52 Stat. 625. D. C. Code § 21-310.

Advances.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the Auditor of the District and upon such security as the Commissioners may require of said Director, sums of money to be used for placing and visiting children; returning parolees and wards of the Board of Public Welfare; and deportation of nonresident insane persons and nonresident indigent persons; the total of such advancements not to exceed $2,000 at any one time.

PUBLIC WORKS

Operating expenses, office of chief clerk: For expenses for the office of chief clerk, including maintenance and repair of wharves; and $1,000 for affiliation with the National Safety Council, Incorporated; $57,000.

Office of Municipal Architect: For expenses necessary for the Office of Municipal Architect, $89,800.

Basis of apportionment.

All apportionments of appropriations for the use of the Office of Municipal Architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than $2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of $2,000,000, and appropriations specifically made in this Act for the preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District government, without reference to fiscal-year limitations on such appropriations.

Reimbursements.

Operating expenses, Office of Superintendent of District Buildings: For expenses necessary for care of the District buildings, including rental of postage meter equipment, uniforms and caps for guards and elevator operators, $908,000.

Surveyor's office: For expenses necessary for the surveyor's office, $130,100.

Fire escapes.

D. C. Code §§ 5-301 to 5-312.

D. C. Code §§ 5-601 to 5-615, 5-501 to 5-505; Supp. VI, § 5-603 *et seq.*

Department of Inspections: For expenses necessary for the Department of Inspections, including the enforcement of the Act requiring the erection of fire escapes on certain buildings (48 Stat. 843) and the removal of dangerous or unsafe and insanitary buildings (34 Stat. 157; 49 Stat. 105); such expenses to include two members of the plumbing board at $150 per annum each; two members of the board of examiners, steam engineers, at $300 per annum each (the inspector of boilers to serve without additional compensation); $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed in surveys of such dangerous and unsafe buildings; three members of board of special appeal; one member of motion-picture operators examining board at $300 per annum; and two members of electrical examining board at $300 per annum each; $662,600.

Operating expenses, Electrical Division: For expenses necessary for the operation and maintenance of the District's communication

systems, including rental, purchase, installation, and maintenance of telephone, telegraph, and radio services; and street lighting, including the installation and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost and maintenance of airport and airway lights necessary for operation of the air mail to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181), and other laws applicable thereto; $1,230,200: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

D. C. Code §§ 7-701 to 7-705.

Rates for electric street lighting.

Capital outlay, Electrical Division: For expenses necessary for placing underground, relocating, and extending the telephone, police-patrol, and fire-alarm cable and circuit distribution systems; installing and extending radio systems; and purchase of lampposts, street designations, and fixtures of al kinds; $275,700.

Central garage: For expenses, including the purchase of passenger motor vehicles, work cars, field wagons, ambulances, and busses and three chauffeurs for the Executive Office at $2,394 per annum each, $106,900.

All motor-propelled passenger-carrying vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conformity with section 5 (c) of the Act of August 2, 1946 (5 U. S. C. 78c), and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof, or direct the alteration or interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act: *Provided*, That "official purposes" shall not apply to the Commissioners of the District of Columbia and in cases of officers and employees, the character of whose duties make such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Use of motor vehicles.

60 Stat. 810. 5 U. S. C. § 78 (c).

Nonapplicability of "official purposes."

Operating expenses, Street and Bridge Divisions (payable from highway fund): For operating expenses of the Street and Bridge Divisions, including operation, minor construction, maintenance, and repair of bridges; repairs to streets, avenues, roads, sidewalks, and alleys; reconditioning existing gravel streets and roads; and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners; such expenses to include purchase of passenger motor vehicles, surveying instruments, implements, and equipment used in this work: $1,904,000, of which amount $70,000 shall be exclusively for snow removal purposes: *Provided*, That the Commissioners are hereby authorized to purchase and install a municipal asphalt plant including all auxiliary plant equipment to be paid for from this appropriation at a cost not to exceed $150,000.

Snow removal.

Municipal asphalt plant.

Capital outlay, Street and Bridge Divisions (payable from highway fund): For expenses necessary for the grading, surfacing, paving, repaving, widening, altering, and otherwise improving streets, avenues, roads, and alleys, including curbing and gutters, directional and pedestrian islands at various intersections to permit of proper traffic-light control and channelization of traffic, drainage structures, culverts, suitable connections to storm-water sewer sys-

tem, retaining walls, replacement and relocation of sewers, water mains, fire hydrants, traffic lights, street lights, fire-alarm boxes, police-patrol boxes, and curb-line trees, when necessary, Federal-aid highway projects under section 1 (b) of the Federal Aid Highway Act of 1938, and highway structure projects financed wholly from the highway fund upon the approval of plans for such structures by the Commissioners; for carrying out the provisions of existing laws which authorize the Commissioners to open, extend, straighten, or widen streets, avenues, roads, or highways, in accordance with the plan of the permanent system of highways for the District of Columbia, and alleys and minor streets, and for the establishment of building lines in the District of Columbia, including the procurement of chains of title; and for assessment and permit work, paving of roadways under the permit system, and construction of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, $5,250,000, to remain available until June 30, 1950: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the Water Division shall be available for snow removal when ordered by the Commissioners in writing: *Provided further*, That in connection with the purchase and installation of a municipal asphalt plant on District owned property the Commissioners are authorized to make expenditures from this appropriation in an amount not exceeding $150,000 for the preparation of the site, including the construction of sea walls, dock facilities, and a railroad siding: *Provided further*, That in connection with the highway planning survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, and in connection with the construction of Federal-aid highway projects under section 1 (b) of said Act, and highway structure projects financed wholly from the highway fund, this appropriation shall be available for the employment of engineering or other professional services by contract or otherwise, and without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, and section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and for engineering and incidental expenses: *Provided further*, That this appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act (47 Stat. 752), and the proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to make such payment, from the said street-railway company in the manner provided by section 5 of the Act of June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That in connection with projects to be undertaken as Federal-aid projects under the provisions of the Federal Aid Highway Act of December 20, 1944, the Commissioners are authorized to enter into contract or contracts for those projects in such amounts as shall be approved by the Public Roads Administration, Federal Works Agency: *Provided further*, That this appropriation may be used for payment to contractors and for other expenses in connec-

52 Stat. 633.
23 U. S. C. § 41b.

Snow removal.

Municipal asphalt plant.

52 Stat. 636; 53 Stat. 1066.

52 Stat. 633.
23 U. S. C. § 41b.

41 U. S. C. § 5.

60 Stat. 810.

Street-railway pavements.

D. C. Code § 7-604.

20 Stat. 106.
D. C. Code § 7-604.

Assessments for paving and repaving.

Contracts.

58 Stat. 838.
23 U. S. C. §§ 60-63.

Grade-crossing elimination.

tion with the expense of design, construction, and inspection of grade-crossing elimination and other construction projects authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1 (b) of the Federal Aid Highway Act of 1938, pending reimbursement to the District of Columbia by the Public Roads Administration, Federal Works Agency, reimbursement to be credited to fund from which payment was made: *Provided further*, That the Commissioners are authorized to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act: *Provided further*, That no appropriation in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving materials as well as in price: *Provided further*, That in addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

23 U. S. C. § 24a.
52 Stat. 633.
23 U. S. C. § 41b.

Widths of sidewalks and roadways.

Open competition for street-improvement contracts.

Liability for repairs.

Department of Vehicles and Traffic (payable from highway fund): For expenses necessary for the Department of Vehicles and Traffic, including purchase, installation, modification, operation, and maintenance of electric traffic lights, signals, controls, markers, and directional signs; purchase of motor-vehicle identification number plates; installation, operation, and maintenance of parking meters on the streets of the District of Columbia, $20,000 for traffic safety education without reference to any other law; $200 for membership in the American Association of Motor Vehicle Administrators; and for all expenses necessary in carrying out the provisions of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90), including personal services (except a director) and uniforms for motor vehicle inspectors; $844,700: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street-railway company shall after construction maintain, mark, and light the same at its expense: *Provided further*, That fees from parking meters shall be deposited to the credit of the highway fund, except that the Commissioners are authorized and empowered to pay the purchase price and the cost of installation of new meters or devices from fees collected from such new meters or devices, which fees are hereby appropriated for such purpose for the fiscal year 1949, and thereafter such new meters or devices shall become the property of the Government of the District of Columbia and all fees collected from such new meters or devices shall be deposited to the credit of the highway fund: *Provided further*, That the Commissioners are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged on public business: *Provided further*, That the incumbent on July 1, 1944, of the authorized position of Registrar of Titles and Tags, whose duties shall be as prescribed in the District of Columbia Appropria-

Parking meters.

Traffic safety education.

D. C. Code, Supp. VI, §§ 40-801 to 40-809.
Post, p. 565.
Streetcar loading platforms.

Fees from parking meters.

Parking spaces for Members of Congress.

Registrar of Titles and Tags.

58 Stat. 527.
D. C. Code, Supp. VI, § 40-603a.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

tion Act, 1945, shall hereafter be continued for compensation purposes in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended: *Provided further*, That the unexpended balance of the $15,000 contained in the District of Columbia Appropriation Act, 1948, for expense necessary for the preparation of studies, preliminary plans and surveys, estimates, and investigation for a system of centralized control of the traffic-signal system, including temporary services as authorized by section 15 of Act of August 2, 1946 (Public Law 600), shall continue available until June 30, 1949.

61 Stat. 443.

60 Stat. 810.
5 U. S. C. § 55a.

Division of Trees and Parking (payable from highway fund): For necessary expenses for the Division of Trees and Parking, $215,000.

Ante, p. 537.

Reimbursement of other appropriations (payable from highway fund): There are hereby authorized to be paid from the highway fund to other appropriations for the District of Columbia the following sums: $9,775 to "General administration" (Office of Corporation Counsel); $46,088 to "Fiscal service" (Collector's Office, $28,843; Auditor's Office, $12,720; Purchasing Division, $4,525); $4,000 to "Salaries and expenses, Office of Chief Clerk"; $8,797 to "Operating expenses, Office of Superintendent of District Buildings"; $2,028 to "Operating expenses, Electrical Division"; $971,312 to "Metropolitan Police"; and $25,000 to "National Capital Parks"; in all, $1,067,000.

Refunding erroneous collections (payable from highway fund): To enable the Commissioners to refund collections erroneously covered into the Treasury during the present and past three fiscal years to the credit of the highway fund, $1,500: *Provided*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

43 Stat. 108.
D. C. Code § 47-1910.

Operating expenses, Division of Sanitation: For expenses necessary for collection and disposal of refuse and street cleaning, including repair and maintenance of plants, buildings, and grounds; and fencing of public and private property designated by the Commissioners as public dumps; $3,265,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments having a central heating system, or from any building or connected group of buildings operated as a rooming, boarding, or lodging house having a total of more than twenty-five rooms.

Capital outlay, Division of Sanitation: Not exceeding $875,000 of funds previously appropriated for construction of proposed incinerator numbered three is made available for continuing construction of refuse transfer station and a garage and shops building, of which amount $36,586 may be transferred to the credit of the appropriation account "Office of Municipal Architect, construction services", for the preparation of plans and specifications, and the Commissioners are authorized to enter into contract or contracts for the construction of a garage and shops building at a total cost of not to exceed $1,375,000.

Transfer of funds.

Operating expenses, Sewer Division: For expenses necessary for operating the District's system of sewage disposal; cleaning and repairing sewers and basins; operation and maintenance of the sewage pumping service and sewage treatment plant, including repairs to equipment, machinery, and structures; maintenance of public convenience stations; control and prevention of the spread of mosquitoes in the District of Columbia; and for contribution of the District of Columbia to the expenses of the Interstate Commission on the Potomac River Basin in accordance with Act of July 11, 1940 (54 Stat. 748), $5,400; $1,152,000.

Interstate Commission on Potomac River Basin.
33 U. S. C. § 567b.

Capital outlay, Sewer Division: For construction of sewers and receiving basins; for assessment and permit work; for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $1,000; for purchase and installation of a sewage pump at the Sewage Treatment Plant, $120,000; and for the preparation of surveys, plans and specifications in connection with the construction of storm-water and relief sewers, including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $25,000; in all, $2,561,000, and not to exceed $44,825 of the appropriation for "Capital outlay, Sewer Division", contained in the District of Columbia Appropriation Act, 1947, for plans and specifications for chemical treatment, sludge drying and incineration facilities at the Sewage Treatment Plant, is continued available until June 30, 1949; and not to exceed $41,000 of the appropriation for "Capital outlay, Sewer Division: For increasing the capacity of the Sewage Treatment Plant," as contained in the District of Columbia Appropriation Act, 1948, is made available for plans and specifications for chemical treatment, sludge drying, and incineration facilities at the Sewage Treatment Plant; and the Commissioners are authorized to enter into contract or contracts for increasing the capacity of the Sewage Treatment Plant at a cost not to exceed $1,720,000.

60 Stat. 810.
60 Stat. 519.
61 Stat. 444.

Operating expenses, Water Division (payable from water fund): For expenses necessary for operation and maintenance of the District of Columbia water distribution system; installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, said meters to remain the property of the District of Columbia; replacement of old mains, service pipes, and divide valves; water waste and leakage survey; such expenses to include purchase of passenger motor vehicles; and refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; $1,967,000, to be available for such refunds of payments made within the past two years.

Capital outlay, Water Division (payable from water fund): For extension of the District of Columbia water distribution system, laying of such service mains as may be necessary under the assessment system, laying mains in advance of paving and installing fire and public hydrants; for construction of thirty-six-inch trunk line water main from the vicinity of Eleventh and M Street Northwest to the vicinity of Fourth and L Streets Northeast; twenty-four- and sixteen-inch trunk line water main from the vicinity of Massachusetts and Boulevard Avenues Southeast, to the vicinity of Southern Avenue and Bowen Road Southeast; pumping facilities at the Anacostia pumping station and rehabilitation of Bryant Street pumping station, including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $1,707,000, of which not to exceed $432,000 for trunk lines, $20,000 for pumping facilities at Anacostia pumping station, and $600,000 for rehabilitation of Bryant Street pumping station shall remain available until expended, and the unobligated balances of the appropriations of $200,000 contained in the District of Columbia Appropriation Act, 1947, and $100,000 contained in the District of Columbia Appropriation Act, 1948, for Fort Stanton Park reservoir roof are continued available until June 30, 1949.

60 Stat. 810.
60 Stat. 520.
61 Stat. 445.

Water fund, investment, District of Columbia: The Secretary of the Treasury is authorized to sell United States securities now held for and on account of the water fund of the District of Columbia in such amounts as may be certified by the Commissioners as necessary and credit the proceeds of such sale to said water fund.

WASHINGTON AQUEDUCT

Operating expenses (payable from water fund): For expenses necessary for the operation, maintenance, repair, and protection of Washington water supply facilities and their accessories, and maintenance of MacArthur Boulevard; including purchase, installation, and maintenance of water meters on Federal services within the District of Columbia; purchase of two passenger motor vehicles; $1,223,000.

Meters on Federal services.

McMillan filter plant, etc.

Capital outlay (payable from water fund): For continuing repair and rehabilitation of McMillan filter plant; circulating facilities and new conduit repairs; continuing purchase and installation of meters; reimbursable fund for advance planning for future capital outlay projects; utility relocations, plant and system rearrangements, and interconnections; acquisition by gift, exchange, purchase or condemnation of supplementary land; remodeling Georgetown reservoir; and for developing increased water supply for the District of Columbia and environs in accordance with House Document 480, Seventy-ninth Congress, second session; and necessary expenses incident thereto; including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $1,490,000, to continue available until expended.

60 Stat. 810.

Superintendence and control.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of the Army over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same, and over appropriations and expenditures therefor as now provided by law.

NATIONAL GUARD

For expenses necessary for the National Guard of the District of Columbia, including compensation to the commanding general at the rate of $3,600 per annum; attendance at meetings of associations pertaining to the National Guard; expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; care and repair of armories, offices, storehouses, machinery, and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; $85,200.

NATIONAL CAPITAL PARKS

For expenses necessary for the National Capital Parks, including maintenance, care, and improvement of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses, and the tourists' camp on its present site in East Potomac Park under the jurisdiction of the National Park Service; placing and maintaining portions of the parks in condition for outdoor sports, erection of stands, furnishing and placing of chairs, and services incident thereto in connection with national, patriotic, civic, and recreational functions held in the parks, including the President's Cup Regatta, and expenses incident to the conducting of band concerts in the parks; such expenses to include pay and allowances of the United States Park Police force;

per diem employees at rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; uniforming and equipping the United States Park Police force, including $225 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, uniforms, ammunition, and radio equipment and the rental of teletype service; and the purchase of passenger motor vehicles, bicycles, motorcycles, and self-propelled machinery; the hire of draft animals with or without drivers at local rates approved by the Secretary of the Interior; the purchase and maintenance of draft animals, harness, and wagons; $1,500,000: *Provided*, That not to exceed $10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

58 Stat. 394.
Post, p. 1049.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For necessary expenses of the National Capital Park and Planning Commission except the acquisition of land (40 U. S. C. 71), including $80 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); stenographic reporting service as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and expenses of attendance at meetings of organizations concerned with city planning matters, $75,500.

43 Stat. 463.
58 Stat. 394.
Post, p. 1049.
60 Stat. 810.

NATIONAL ZOOLOGICAL PARK

For expenses necessary for the National Zoological Park, including erecting and repairing buildings; care and improvement of grounds; travel, including travel for the procurement of live specimens; purchase, care, and transportation of specimens; purchase of motorcycles; revolvers and ammunition; purchase of uniforms and equipment for police, and uniforms for keepers and assistant keepers; $492,600.

GENERAL PROVISIONS

SEC. 2. Except as otherwise provided herein, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by or under the jurisdiction only of the Auditor for the District of Columbia and the vouchers as approved shall be paid by checks issued by the Disbursing Officer without countersignature.

Vouchers.

SEC. 3. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of the District of Columbia unless such person is a citizen of the United States, or a person in the service of the United States or the District of Columbia on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war effort.

Citizenship requirement.

Exception.

SEC. 4. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or the government of the District of Columbia, or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the government of the District of Columbia, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States or the government of the District of Columbia, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the government of the District of Columbia, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or the government of the District of Columbia or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or the government of the District of Columbia, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

Maximum amount.

SEC. 5. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Repairs and improvements.

SEC. 6. Work performed for repairs and improvements under appropriations contained in this Act may be by contract or otherwise, as determined by the Commissioners.

Allowances for privately owned automobiles.

SEC. 7. Appropriations in this Act shall be available, when authorized by the Commissioners, for allowances for privately owned automobiles used for the performance of official duties at not to exceed $264 per annum for each automobile, unless otherwise therein specifically provided: *Provided*, That the total expenditures for this purpose shall not exceed $42,000, excluding the automobile allowances for the deportation of nonresident insane, the transportation of indigent persons, and the placing of children by the Board of Public Welfare.

Attendance at meetings.

SEC. 8. Appropriations in this Act shall be available for the payment of dues and expenses of attendance at meetings of organizations concerned with the work of the District of Columbia government, when authorized by the Commissioners: *Provided*, That the total expenditures for this purpose shall not exceed $8,500.

Investment in U. S. securities.

SEC. 9. The Commissioners are hereby authorized in their discretion to invest and reinvest at any time in United States Government securities, with the approval of the Secretary of the Treasury, any part of the general fund, highway fund, water fund, or trust funds, of the District of Columbia, not needed to meet current expenses during the fiscal year, to deposit the interest accruing from such investments to the credit of the fund from which the investment was made, and the Secretary of the Treasury is authorized to sell or exchange such securities for other Government securities, and deposit the proceeds to the credit of the appropriate fund.

Funds for personal services; printing and binding.

SEC. 10. Appropriations for necessary expenses shall be available for personal services and printing and binding and, when authorized by the Commissioners or by the purchasing officer and the auditor, acting for the Commissioners, printing and binding may be performed by the District of Columbia Division of Printing Publications without reference to fiscal-year limitations.

Stenographic reporting service.

SEC. 11. Appropriations in this Act shall be available, when authorized by the Commissioners, for stenographic reporting service as

authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a). 60 Stat. 810.

SEC. 12. Notwithstanding the provisions of the Treasury and Post Office Departments Appropriation Act, 1949, the District of Columbia is authorized to purchase typewriters for educational instruction purposes at not to exceed the lowest price paid for typewriters for such purposes by schools in the States of Maryland or Virginia. *Ante*, p. 415.

TITLE II—REDUCTIONS IN APPROPRIATIONS

SEC. 201. Amounts available from appropriations are hereby reduced in the sums hereinafter set forth, such sums to be covered into the general fund of the District of Columbia:

Public schools, expenses, District of Columbia (Act June 27, 1942), $194,470; 56 Stat. 432.

Buildings and grounds, public schools, District of Columbia (Acts July 1, 1941; December 28, 1945), $24,226.45; 55 Stat. 512; 59 Stat. 643.

Capital outlay, Public Library, District of Columbia (Acts June 28, 1944; June 30, 1945; July 9, 1946), $35,638.33; 58 Stat. 515; 59 Stat. 278; 60 Stat. 507.

Northwest Health Center, building, District of Columbia (Act July 1, 1941), $108,482.18; and the contract authorization of $250,000 for the construction of a building for a health center in northwest Washington, contained in the District of Columbia Appropriation Act, 1942, is hereby repealed; 55 Stat. 517. Repeal. 55 Stat. 517.

Capital outlay, Gallinger Municipal Hospital, District of Columbia (Acts June 30, 1945; December 28, 1945), $19,316.65; 59 Stat. 282, 643.

Public-convenience stations, site and construction, District of Columbia (Act June 27, 1942), $35,699.21. 56 Stat. 424.

SEC. 202. This Act may be cited as the "District of Columbia Appropriation Act, 1949". Short title.

Approved June 19, 1948.

[CHAPTER 556]

AN ACT

To provide for the temporary free importation of lead.

June 19, 1948
[H. R. 6489]
[Public Law 725]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the import duties imposed under paragraphs 391 and 392 of title I of the Tariff Act of 1930, as amended, on lead-bearing ores, flue dust, and mattes of all kinds, lead bullion or base bullion, lead in pigs and bars, lead dross, reclaimed lead, scrap lead, antimonial lead, and antimonial scrap lead shall not apply with respect to imports entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this Act and ending with the close of June 30, 1949. 46 Stat. 628. 19 U. S. C. § 1001, pars. 391, 392.

Approved June 19, 1948.

[CHAPTER 557]

AN ACT

To authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, California, to the State of California for the use of the University of California.

June 19, 1948
[H. R. 6716]
[Public Law 726]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized, subject to such terms and conditions as he may prescribe, to transfer to the State of California for the use of the University of California as a research and medical center and allied purposes a portion of the Veterans' Administration Los Angeles, Calif. Transfer of land.

center at Los Angeles, California, said parcel being described by metes and bounds as follows:

Beginning at the southeasterly corner of said lot 1, said corner being at the intersection of the northeasterly line of said lot 1 and the northwesterly line of Wilshire Boulevard (formerly Sunset Boulevard); thence south seventy-two degrees nineteen minutes thirty seconds west a distance of six hundred and sixty-two and eighty-nine one-hundredths feet along said northwesterly line of Wilshire Boulevard to an intersection with the northeasterly line of Veteran Avenue (formerly Lookout Avenue); thence north thirty-three degrees eight minutes twenty-five seconds west a distance of seven hundred and thirty-three and eighty-five one-hundredths feet along said northeasterly line of Veteran Avenue to the southwesterly corner of that portion of said lot 2 deeded to the city of Los Angeles for fire-station purposes November 15, 1945, in accordance with Public Law 37, Seventy-ninth Congress, approved April 23, 1945; thence north fifty-six degrees fifty-one mintues thirty-five seconds east a distance of one hundred and fifty feet to the southeasterly corner of said portion of said lot 2; thence north thirty-three degrees eight minutes twenty-five seconds west a distance of one hundred feet to the northeasterly corner of said portion of said lot 2; thence south fifty-six degrees fifty-one minutes thirty-five seconds west a distance of one hundred and fifty feet to the northeasterly line of said Veteran Avenue; thence north thirty-three degrees eight minutes twenty-five seconds west a distance of four hundred and fifty-four and thirty-three one-hundredths feet along said northeasterly line to an intersection with the northwesterly line of said lot 2; thence north thirty-seven degrees fifty-seven minutes fifty-four seconds west a distance of one thousand two hundred and sixty-one and forty-eight one-hundredths feet along the northeasterly line of Veteran Avenue to a point; thence north seventy-two degrees fourteen minutes twenty-one seconds east a distance of one and sixty-nine one-hundredths feet to a point, said point being the southwesterly corner of lot 3, block 10, tract 9617, on file in map book 134, pages 78 to 82, inclusive, of the records of the city of Los Angeles; thence north seventy-two degrees nineteen minutes forty-one seconds east a distance of six hundred and fifty-seven and thirty-six one-hundredths feet to the southeasterly corner of lot 11 of said block 10; thence south thirty-five degrees thirty-six minutes twenty-seven seconds east a distance of two thousand five hundred and forty-eight and fifty-four one-hundredths feet along the northeasterly line of lots 4, 3, 2, and 1 of said block 23 to the point of beginning; containing thirty-four and eight hundred and eighty one-thousandths acres, more or less.

59 Stat. 55.

Rights reserved to U. S.

The deed shall reserve to the United States all interest in and to any oil, mineral or fissionable material in said land, and shall provide for reversion to the United States if the land ceases to be used as a medical and research center.

Approved June 19, 1948.

[CHAPTER 558]

AN ACT

June 19, 1948
[H. R. 6758]
[Public Law 727]

Making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes.

The Supplemental Treasury and Post Office Departments Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, namely:

TITLE I—TREASURY DEPARTMENT

BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for enforcement, under section 102, Reorganization Plan Numbered III of 1946, of certain navigation laws, for the detection and prevention of frauds upon the customs revenue, and not to exceed $100,000 for the securing of evidence of violations of laws enforced by the Bureau of Customs; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed $500 for subscriptions to newspapers; not to exceed $85,000 for stationery; not to exceed $12,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); for printing and binding; and for the purchase of one hundred and twenty-five passenger motor vehicles for replacement only; for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws; for the purchase of arms, ammunition, and accessories; not to exceed $826,000 for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930; $32,400,000, of which $300,000 shall constitute an advance fund to enable the Bureau of Customs to meet obligations incurred by it arising from services rendered to private interests, pending receipt of reimbursements therefrom, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1949.

Post, p. 1039.

60 Stat. 1097.
5 U. S. C. § 133y-16 note.

46 Stat. 817.

46 Stat. 741.
19 U. S. C. § 1525.

Refunds and draw-backs: For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, $18,000,000.

BUREAU OF INTERNAL REVENUE

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the prior fiscal years and payment of accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", "Repayment of taxes on distilled spirits destroyed by casualty", and "Refunds and payments of processing and related taxes", such sums as hereafter may be necessary: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $5,000 as required by section 3 of the Act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

45 Stat. 398.

Report to Congress.

45 Stat. 996; 53 Stat. 466.
26 U. S. C. § 3776.

COAST GUARD

SALARIES AND EXPENSES

For all salaries and expenses of the Coast Guard, as follows:

Office of Commandant: For personal services at the seat of Government, $2,260,784.

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, on active duty, and six civilian instructors; not exceeding $10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; trans-

Cash prizes.

Transportation of dependents.

portation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed $32,200 for cost of instruction of officers at non-Federal institutions, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, other enlisted personnel, members of the Coast Guard Auxiliary when assigned specific duties under the provisions of section 8, Act of February 19, 1941, as amended (14 U. S. C. 267), working parties in the field, and officers and crews of light vessels and tenders (14 U. S. C. 135); mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast Guard as authorized for Coast Guard officers; traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof; transportation in kind and subsistence to discharged cadets; uniform clothing for enlisted men as provided by law (14 U. S. C. 13); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the Coast Guard for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard; advertising for and obtaining enlisted personnel and applicants for appointment as cadets; training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed $162,240 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended pursuant to regulations prescribed by the Secretary; apprehension and delivery of deserters and stragglers (14 U. S. C. 147); in all, $71,295,154: *Provided*, That whenever commissioned officers of the Coast Guard, who were civilian employees of the former Bureau of Marine Inspection and Navigation, resume their status as civilian employees of the Coast Guard, or whenever civilian employees of the

41 Stat. 824.
34 U. S. C., Supp. I, § 943 note.

55 Stat. 10.

54 Stat. 248.

Per diem rates for PHS officers.

Traveling expenses.

30 Stat. 604.

Hire of quarters.

Restriction.

Recruiting.

Transfer of household goods.

Provisions for sale at isolated stations.

Apprehension of deserters.
34 Stat. 201.

Certain civilian employees.

Coast Guard, who were employed in the former Bureau of Marine Inspection and Navigation, are commissioned as officers of the Coast Guard, the appropriations "Civilian employees, Coast Guard" and "Office of Commandant" may be exceeded, with the approval of the Bureau of the Budget, by the amount of their pay as civilian employees and the appropriation "Pay and allowances" reduced in a like amount or vice versa, as the case may be.

General expenses, Coast Guard: For expenses necessary for the operation and maintenance of the Coast Guard ashore and afloat, except as specifically provided for in other appropriations, including personal services; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); printing and binding; purchase of not to exceed thirty-five passenger motor vehicles for replacement only, and maintenance, operation, and repair of aircraft; improvement of property for Coast Guard purposes, including rental, purchase, or use of additional land where necessary and the purchase of land for beacons, daymarks, and fog signals; subsistence and clothing for shipwrecked and destitute persons, including reimbursement, under rules prescribed by the Secretary, of Coast Guard personnel who furnish from their personal stock subsistence and clothing to such persons (33 U. S. C. 749); for payment of claims authorized under the Act of December 28, 1945, as amended (31 U. S. C. 222g); examination of estimates of appropriations in the field; not to exceed $2,500 for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion (14 U. S. C. 15k); payment of rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard (14 U. S. C. 50c); in all, $39,225,070, together with $620,000 to be transferred from the Coast Guard supply account fund: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and ten exclusive of planes and parts stored to meet future attrition.

60 Stat. 810.

37 Stat. 239.

60 Stat. 56.

Coast Guard Academy, contingencies.

53 Stat. 582.

Payment of rewards.

60 Stat. 857.

Transfer of funds.

Restriction on aircraft.

Civilian employees, Coast Guard: For compensation of civilian employees in the field, including per diem labor, but excluding personnel provided for in the appropriation "General expenses, Coast Guard", $4,218,992.

Supra.

No part of the foregoing appropriations for salaries and expenses shall be used (1) to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases above thirty the total number of enlisted men detailed to such duty at any time, or (2) for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers.

Payment of salaries.

Increased pay for aerial flights, restriction.

The Secretary of the Treasury may transfer funds between the foregoing appropriations for salaries and expenses of the Coast Guard, but no appropriation shall be either increased or decreased more than 5 per centum by such transfers.

Transfer of funds.

RETIRED PAY, COAST GUARD

For retired pay for commissioned officers, warrant officers, enlisted personnel, for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a), and for certain officers and employees entitled thereto by virtue of former employment in the Lighthouse Service engaged in the field service or on vessels of the Coast Guard except persons continuously employed in district offices and shops (33 U. S. C. 763, 765), $12,000,000.

46 Stat. 164.

40 Stat. 608; 43 Stat. 1261.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For establishing and improving aids to navigation; the purchase or construction of additional and replacement vessels and their equipment; the purchase of aircraft and their equipment; the construction, rebuilding, or extension of shore facilities, including the acquisition of sites and improvements thereon when specifically approved by the Secretary; and for expenditures directly relating thereto, including personal services at the seat of government; in all, $11,138,755, to remain available until expended.

GENERAL PROVISIONS

Payment of salary, etc., restriction.

SEC. 102. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act.

Citation of title.

SEC. 103. This title may be cited as "The Supplemental Treasury Department Appropriation Act, 1949".

TITLE II—POST OFFICE DEPARTMENT

(Out of the postal revenues)

For additional amounts for appropriations of the Post Office Department, fiscal year 1949, as folows:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

SALARIES IN BUREAUS AND OFFICES

Ante, p. 416.

Salaries, Office of the Second Assistant Postmaster General, $167,500: *Provided*, That this appropriation shall be available only for temporary personnel services in the District of Columbia, including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), in connection with rate hearings before the Interstate Commerce Commission;

60 Stat. 810.

Ante, p. 417.

Salaries, Office of the Solicitor, $25,000;

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Ante, p. 417.

Damage claims, $175,000;

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Ante, p. 419.

Rural delivery service, $4,100,000;

Ante, pp. 419, 420.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Balances due foreign countries, $12,000,000;
Indemnities, international mail, $25,000;
Foreign air mail service, $6,883,000;
Domestic air mail service, $15,401,000;

Ante, p. 420.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Stamps and stamped paper, $1,836,000;
Indemnities, domestic mail, $331,000;
Unpaid money orders, $400,000;

Ante, p. 420.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Miscellaneous supplies and equipment, $3,000,000;
Equipment shops, Washington, District of Columbia, $13,000,000;

Equipment, public buildings, $532,000.

Ante, p. 421.

This title may be cited as "The Supplemental Post Office Department Appropriation Act, 1949".

Citation of title.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 302. This Act may be cited as "The Supplemental Treasury and Post Office Departments Appropriation Act, 1949".

Short title.

Approved June 19, 1948.

[CHAPTER 559]

AN ACT

To amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942.

June 19, 1948
[S. 2642]
[Public Law 728]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942, as amended, is amended by adding thereto a new paragraph to read as follows:

D. C. Motor Vehicle Parking Facility Act of 1942, amendment.
56 Stat. 91.
D. C. Code, Supp. VI, § 40-804.

"(f) The power to lease on competitive bids for terms not exceeding fifty years, any property acquired pursuant to this Act, or any other property heretofore or hereafter acquired by the District if no longer needed for the purpose for which it was acquired, and to stipulate in any such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be used, maintained, and operated for the purposes of this Act, including purposes incidental thereto, subject to regulation as provided in paragraph (d) of this section, except that the rates for use of space in parking facilities covered by any such lease shall be fixed and regulated by the Commissioners so as to allow to the lessee a fair return, as fixed by the Commissioners, on the cost of such structure or structures, together with an amount sufficient to amortize

Lease of property on competitive bids.

Rates in parking facilities.

within the term of any such lease the cost of such structure or structures. Every such lease shall be entered into upon such terms and conditions as the Commissioners shall impose including, but not limited to, requirements that such structure or structures shall conform with plans and specifications approved by the Commissioners, that such structure or structures shall become the property of the District upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond or otherwise to guarantee fulfillment of his or its obligations, and any other requirement which, in the judgment of the Commissioners, shall be related to the accomplishment of the purposes of this Act."

Approved June 19, 1948.

[CHAPTER 560]

AN ACT

June 19, 1948
[H. R. 5820]
[Public Law 729]

To aid in the development of improved prosthetic appliances, and for other purposes.

Veterans Administration.
Prosthetic research.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated annually to the Veterans' Administration and to remain available until expended the sum of $1,000,000 to be expended, in accordance with laws now or hereafter applicable to the Veterans' Administration, for prosthetic research, including all forms of prosthetic and orthopedic appliances and sensory devices.

SEC. 2. In carrying out the research program authorized by this Act the Administrator of Veterans' Affairs is authorized to make available the results of his investigations to private or public institutions or agencies and to individuals in order that the unique investigative materials and research data in the possession of the Government may result in improved prosthetic appliances for all disabled persons.

Approved June 19, 1948.

[CHAPTER 589]

AN ACT

June 19, 1948
[H. R. 4603]
[Public Law 730]

To confer jurisdiction upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment on the claims of the owners of the fee-simple titles and leasehold interests in lands leased to the United States by the city of Macon, Georgia, for use as a part of the site of Camp Wheeler, Georgia.

Macon, Ga.
Jurisdiction of District Court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render monetary judgment upon the several claims (1) of the city of Macon with respect to lands owned by the city and leased by the said city to the United States for use by the Army as a part of the site of Camp Wheeler, Georgia, for damages for the breach, if any, of its leases to the United States and (2) of the owners in fee simple and the owners of leasehold interests, except the city of Macon, in and to lands leased by them to the city of Macon, Georgia, and subleased by the city to the United States for such use. In the determination of the claims of the owners of the fee-simple titles and of leasehold interests in lands leased by them to the city of Macon and subleased by said city to the United States, the damages allowed, if any, shall be limited to the amounts to which such owners would have been entitled under the terms and provisions of their leases to the city of Macon: *Provided*, That claims of fee owners and leasehold owners, excepting the city of Macon, relating to the same property shall be joined in one action and the

amount of damages allowed, if any, shall not exceed the amount that could have been recovered had all the interests in such property been vested in one party. The claims of the city of Macon with respect to lands owned by it shall be determined under the terms and provisions of its leases of such lands to the United States. This Act shall be construed to waive the lack of privity of contract between the United States and the said fee owners or between the United States and the said leasehold owners; to waive the requirement of such leases to the city of Macon of notice by the lessors to the city in order for claims of restoration to be asserted, and to waive the immunity from suit of the United States in favor of the parties and with respect to the claims described in this Act, but not otherwise to affect any rights of the parties.

Waivers.

SEC. 2. Proceedings for the determination of these claims shall be had in the same manner as in cases against the United States of which the district courts of the United States have jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended, but the monetary limit which is applicable in such cases shall not be applicable in the determination of these claims: *Provided*, That all suits hereunder shall be instituted within one year after the enactment of this Act.

Proceedings.

28 U. S. C. § 41.
Post, p. 996.

Time limitation.

Approved June 19, 1948.

[CHAPTER 590]

AN ACT

To provide for the issuance of a special postage stamp in commemoration of the dedication of the Palomar Mountain Observatory.

June 21, 1948
[H. R. 6368]
[Public Law 731]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the dedication of the Palomar Mountain Observatory, San Diego County, California, the Postmaster General is authorized and directed to issue a special postage stamp of such denomination and design and for such period beginning not later than September 1, 1948, as he may determine.

Palomar Mountain Observatory, Calif.
Commemorative stamp.

Approved June 21, 1948.

[CHAPTER 591]

AN ACT

To authorize the Secretary of the Interior to convey certain lands in the State of Montana to School District 55, Roosevelt County, Montana.

June 21, 1948
[S. 1933]
[Public Law 732]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey with the consent of the executive board of the Fort Peck Tribe by quitclaim deed to School District 55, Roosevelt County, Montana, the following-described lands located in Brockton, Roosevelt County, Montana: Lots 3 through 14 of block 16; lots 1 through 4 of block 9; and lots 13 through 16 of block 9.

School District 55, Roosevelt County, Mont.
Conveyance.

SEC. 2. The lands authorized to be conveyed by this Act shall be used by the grantee for school purposes, including the use as a site for housing furnished to Indian families during the school term. The conveyance of such lands shall contain the express condition that if the grantee shall fail or cease to use such lands for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States, in trust for the Fort Peck Tribe.

Approved June 21, 1948.

[CHAPTER 593]

AN ACT

June 22, 1948
[S. 1090]
[Public Law 733]

To safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes.

Superior National Forest, Minn.
Acquisition of lands.
16 U. S. C. §§ 577-577b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to protect and administer more effectively the publicly owned lands within certain parts of the area described in section 1 of the Act approved July 10, 1930 (46 Stat. 1020), and to accomplish certain public purposes explicit and implicit in sections 2 and 3 of said Act, the Secretary of Agriculture is authorized and directed to acquire any lands or interest in lands, and appurtenances thereto, situated within the area described in section 2 of this Act, where in his opinion development or exploitation, or the potentialities for development or exploitation, impair or threaten to impair the unique qualities and natural features of the remaining wilderness canoe country: *Provided, however*, That under the authority of this Act no contiguous tract of land in one ownership, not exceeding five hundred acres in the aggregate, shall be condemned if at the time of the approval of this Act it is encumbered with a structure or structures of a permanent type suitable for human occupancy and if the owner thereof files written objections before expiration of the time for answering the petition in the proceedings.

Restriction on condemning land.

Areas of authority.

SEC. 2. That the authority granted in section 1 of this Act shall be supplemental to the authority granted by existing Acts relating to the acquisition of lands for national-forest purposes and shall not be deemed as repealing any portions of those Acts except as provided hereinafter; and said supplemental authority granted by section 1 of this Act, but not the authority granted by existing Acts, shall be confined to the following described areas in Cook, Lake, and Saint Louis Counties, State of Minnesota:

Township 63 north, range 2 west, fourth principal meridian, sections 5 to 8, inclusive.

Township 63 north, range 3 west, fourth principal meridian, sections 1 to 12, inclusive.

Township 63 north, ranges 4, 5, 6, 7 and 8 west, fourth principal meridian, entire townships.

Township 63 north, range 9 west, fourth principal meridian, south half section 19 and sections 20 to 36, inclusive.

Township 63 north, range 13 west, fourth principal meridian, section 6.

Township 63 north, range 14 west, fourth principal meridian, sections 1 to 12, inclusive, and 14 to 22, inclusive.

Township 63 north, range 15 west, fourth principal meridian, sections 1 to 24, inclusive.

Township 63 north, range 16 west, fourth principal meridian, sections 1 to 3 inclusive, 10 to 15, inclusive, and 22 to 24, inclusive.

Township 64 north, range 3 east, fourth principal meridian, south half section 7.

Township 64 north, range 2 east, fourth principal meridian, sections 1 to 12, inclusive.

Township 64 north, range 1 east, fourth principal meridian, sections 1 to 4, inclusive, south half section 7, sections 8 to 12, inclusive, 15 to 17, inclusive, and east half section 18.

Township 64 north, range 1 west, fourth principal meridian, sections 17 to 20, inclusive, and 29 to 32, inclusive.

Township 64 north, range 2 west, fourth principal meridian, sections 7 to 11, inclusive, and 13 to 36, inclusive.

Township 64 north, range 3 west, fourth principal meridian, sections 7 to 36, inclusive.

Township 64 north, range 4 west, fourth principal meridian, sections 6, 7, and 10 to 36, inclusive.

Township 64 north, ranges 5, 6, 7, and 8 west, fourth principal meridian, entire townships.

Township 64 north, range 9 west, fourth principal meridian, sections 1 to 24, inclusive.

Township 64 north, range 10 west, fourth principal meridian, sections 1 to 18, inclusive.

Township 64 north, range 11 west, fourth principal meridian, sections 1 to 4, inclusive, and 9 to 16, inclusive.

Township 64 north, range 13 west, fourth principal meridian, sections 5 to 8, inclusive, 15 to 22, inclusive, and 28 to 32, inclusive.

Township 64 north, range 14 west, fourth principal meridian, sections 6 to 36, inclusive.

Township 64 north, range 15 west, fourth principal meridian, sections 1 to 3, inclusive, and 10 to 36, inclusive.

Township 64 north, range 16 west, fourth principal meridian, sections 22 to 27, inclusive, and 34 to 36, inclusive.

Township 65 north, range 2 east, fourth principal meridian, entire township.

Township 65 north, range 1 east, fourth principal meridian, sections 19 to 30, inclusive, and 33 to 36, inclusive.

Township 65 north, range 1 west, fourth principal meridian, sections 19 to 30, inclusive.

Township 65 north, range 4 west, fourth principal meridian, sections 1 to 3, inclusive, 10 to 14, inclusive, and 31.

Township 65 north, range 5 west, fourth principal meridian, sections 6, 7, and 18 to 36, inclusive.

Township 65 north, ranges 6, 7, 8, 9, 10, and 11 west, fourth principal meridian, entire townships.

Township 65 north, range 12 west, fourth principal meridian, sections 1 to 17, inclusive, 20 to 27, inclusive, and 34 to 36, inclusive.

Township 65 north, range 13 west, fourth principal meridian, sections 1 to 3, inclusive, and 10 to 12, inclusive.

Township 65 north, range 14 west, fourth principal meridian, sections 18, 19, 30, and 31.

Township 65 north, range 15 west, fourth principal meridian, sections 13, 14, 23 to 26, inclusive, 35 and 36.

Township 66 north, range 4 west, fourth principal meridian, sections 3, 9, 16, 21, 22, 26 to 28, inclusive, and 33 to 36, inclusive.

Township 66 north, range 5 west, fourth principal meridian, sections 2, 8, 9, 16 to 20, inclusive, 30 and 31.

Township 66 north, range 6 west, fourth principal meridian, entire township.

Township 66 north, ranges 11, 12, and 13 west, fourth principal meridian, entire townships.

Township 66 north, range 14 west, fourth principal meridian, sections 1 to 28, inclusive, and 33 to 36, inclusive.

Township 66 north, range 15 west, fourth principal meridian, sections 1 to 17, inclusive, and 20 to 24, inclusive.

Township 66 north, range 16 west, fourth principal meridian, sections 1 to 5, inclusive, and 9 to 12, inclusive.

Township 67 north, ranges 13, 14, and 15 west, fourth principal meridian, entire townships.

Township 67 north, range 16 west, fourth principal meridian, sections 6 to 8, inclusive, 16 to 18, inclusive, 20, 21, 28, 29, and 32 to 34, inclusive.

Township 67 north, range 17 west, fourth principal meridian, those portions of sections 1, 12, and 13 east of Crane Lake.

Township 68 north, ranges 13, 14, 15, and 16 west, fourth principal meridian, entire townships.

Township 68 north, range 17 west, fourth principal meridian, that portion of section 36 east of Crane Lake.

Approval of National Forest Reservation Commission.

SEC. 3. That lands shall be acquired by purchase or condemnation under the supplemental authority granted in section 1 of this Act only with prior approval of the National Forest Reservation Commission created by section 4 of the Act approved March 1, 1911 (36 Stat. 961), as amended, and lands so acquired shall become parts of the Superior National Forest and be subject to the provisions of said Act (36 Stat. 961), as amended, and of such other laws as apply to land acquired under the provisions of said Act (36 Stat. 961), as amended, except as hereinafter provided.

16 U. S. C. § 513.

16 U. S. C. §§ 552, 563, 513-519, 521, 480, 500, 523.

Exchange of lands.

SEC. 4. That upon finding and determination by the Secretary of Agriculture that the public purposes and objectives explicit and implicit in the Act approved July 10, 1930 (46 Stat. 1020), more effectively can be accomplished by exchanging lands of the United States situated within the boundaries described in said Act for other lands in State, county, or private ownership situated within the said boundaries which are more suitable for public ownership, management, and use, for the purposes contemplated by said Act, such lands of the United States shall be subject to exchange under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended, or the provisions of the Act of March 3, 1925 (43 Stat. 1215).

16 U. S. C. §§ 577-577b.

16 U. S. C. §§ 485, 486.

16 U. S. C. § 516.

Annual payments.

SEC. 5. That the Secretary of the Treasury, upon the certification of the Secretary of Agriculture, shall pay to the State of Minnesota, at the close of each fiscal year from any national-forest receipts not otherwise appropriated a sum of money equivalent to three-quarters of 1 per centum of the fair appraised value of such national-forest lands as may be situated within the area described in section 2 of this Act at the end of each fiscal year; and the payments made hereunder shall be distributed to each of the three aforesaid counties in conformity with the fair appraised value of such national-forest lands in each county: *Provided*, That the fair appraised value of the lands shall be determined by the Secretary of Agriculture at ten-year intervals and his determination shall be conclusive and final: *Provided further*, That the first payment to the State of Minnesota under the provisions of this section shall not be due until the close of the first full fiscal year after approval of this Act: *And provided further*, That the provisions of the Act of May 23, 1908 (35 Stat. 260), and of section 13 of the Act of March 1, 1911, as amended (36 Stat. 961; 38 Stat. 441), shall not be applicable to the national-forest lands to which this section applies.

Appraised value.

16 U. S. C. § 500.

Appropriations authorized.

SEC. 6. That there are hereby authorized to be appropriated annually such sums as are necessary to carry out the provisions of this Act: *Provided, however*, That the total appropriations under the authority of this Act shall not exceed $500,000 for the purchase and condemnation of land.

Restriction.

Approved June 22, 1948.

[CHAPTER 594]

June 22, 1948
[H. R. 5822]
[Public Law 734]

AN ACT

To establish the Saratoga National Historical Park, in the State of New York, from the lands that have been acquired by the Federal Government for that purpose pursuant to the Act of June 1, 1938 (52 Stat. 608), and for other purposes.

Saratoga National Historical Park, N. Y. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the establishment of Saratoga National Historical Park,

and to provide adequately for its future development, all lands and other property which have been acquired by the Federal Government pursuant to the Saratoga National Historical Park Act of June 1, 1938 (52 Stat. 608; 16 U. S. C., secs. 159–159b), are hereby established as the Saratoga National Historical Park, and shall be administered as provided in section 3 of that Act.

16 U. S. C. § 159b.

Acceptance of Gen. Philip Schuyler Mansion property.

SEC. 2. The Secretary of the Interior is authorized to accept all or any portion of the General Philip Schuyler Mansion property, real and personal, situated at Schuylerville, New York, comprising approximately fifty acres, and also donations of additional land, interests in land, buildings, structures, and other property in Saratoga County. The authority to acquire property, contained in section 2 of the Act of June 1, 1938, may be utilized by the Secretary of the Interior in carrying out the purposes of this Act. These properties, upon acquisition by the United States, shall become a part of Saratoga National Historical Park, the total area of which, however, shall not exceed five thousand five hundred acres.

52 Stat. 609.
16 U. S. C. § 159a.

Approved June 22, 1948.

[CHAPTER 595]

AN ACT

June 22, 1948
[H. R. 6239]
[Public Law 735]

To provide for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska.

Alaska.
Assessment work on mining claims.
30 U. S. C. § 28.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the Territory of Alaska, until the hour of 12 o'clock meridian on the 1st day of July 1949: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this Act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1949, a notice of his desire to hold said mining claim under this Act.

Approved June 22, 1948.

[CHAPTER 596]

AN ACT

June 22, 1948
[H. R. 6246]
[Public Law 736]

To authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes.

Chopawamsic Park, Va.
Transfer of jurisdiction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to transfer to the Secretary of the Navy control and jurisdiction over those parcels of land within the Chopawamsic Park, known hereafter as the Prince William Forest Park, a part of the park system of the National Capital and its environs by Act of Congress of August 13, 1940 (54 Stat. 785), comprising approximately five thousand acres, lying south of the Joplin Road and contiguous to the Marine Base at Quantico, Virginia, with the exception of approximately four acres at the intersection of roads 626 and 620, which land contains the fire tower, upon assurance that the Secretary of the Navy will guarantee the potability and the undamaged source of water of the South Branch of Quantico Creek

Condition of transfer.

to the lands lying east of route 619, now or hereafter acquired for the Chopawamsic Park: *Provided, however*, That the transfer of jurisdiction herein authorized shall not be effectuated until funds have been made available by the Congress for the acquisition of the lands referred to in section 3 of this Act.

Surplus lands of Department of Army.

SEC. 2. That all of the lands that were formerly acquired by the War Department and that are now surplus to the needs of the Department of the Army within and adjacent to the Chopawamsic Park, comprising approximately one thousand one hundred and thirty-eight and sixty-two one hundredths acres, are hereby added to and made a part of that park, and shall be subject to all the laws, rules, and regulations applicable thereto.

Acquisition of land.

SEC. 3. That the Secretary of the Interior and the Secretary of the Navy be, and they are hereby, authorized to acquire on behalf of the United States, by donation or purchase, lands adjoining or contiguous to the Chopawamsic Park, in the State of Virginia, as may be necessary for the proper rounding out of the boundaries of that park, but not exceeding one thousand five hundred acres. The title to real property acquired pursuant to this Act shall be satisfactory to the Attorney General of the United States. All property acquired by the United States pursuant to this Act shall become a part of the Chopawamsic Park upon acceptance of title thereto, and shall be subject to all laws, rules, and regulations applicable thereto.

Appropriation authorized.

SEC. 4. There is authorized to be appropriated not to exceed the sum of $10,000 to carry out the provisions of section 3 of this Act.

Approved June 22, 1948.

[CHAPTER 597]

June 22, 1948
[H. R. 6289]
[Public Law 737]

AN ACT

To provide for the voluntary admission and treatment of mental patients at Saint Elizabeths Hospital.

Saint Elizabeths Hospital, D. C.
Treatment of mental patients.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Superintendent of Saint Elizabeths Hospital may receive therein as a boarder and patient any adult person who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and who makes written application therefor and who is determined by the Superintendent to be mentally competent to make such application; and any person, under the age of twenty-one years, who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and whose parent, legal guardian, or other legal representative makes written application on behalf of such minor: *Provided*, That no such person shall be received as a boarder and patient in Saint Elizabeths Hospital under authority of this Act unless the certification provided for in subsection (b) of this section shall have been made with respect to him: *Provided further*, That no person shall be permitted to remain in such hospital as boarder and patient after the need for his treatment at a mental hospital has ceased: *And provided further*, That no person shall be permitted to remain in such hospital as a boarder and patient after the Superintendent of Saint Elizabeths Hospital or his authorized representative has been notified that the certification provided for in subsection (b) has been revoked.

Reimbursement by Board of Public Welfare.

(b) Upon request therefor by the Superintendent of Saint Elizabeths Hospital, the Board of Public Welfare, if it finds that any person with respect to whom the application described in subsection (a) has been made was a resident of and domiciled within the District of Columbia for one year next preceding the time of such application, shall certify to the Superintendent that it will reimburse Saint Eliza-

beths Hospital the cost of caring for such person as provided in section 3 of this Act; except that if the Board finds that such person, or any other person legally responsible for his care, is able to pay all or any part of the cost of such care, the Board shall not be required to make a certification unless it has, pursuant to section 3, made an agreement satisfactory to it for payment to the District of Columbia of the cost of such care or such part of such cost.

Ability of patient to pay.

SEC. 2. Any person received at Saint Elizabeths Hospital for mental care and treatment under section 1 of this Act shall not be detained there more than three days after having given written notice to the Superintendent thereof requesting his release, or, in the case of any such person who is under the age of twenty-one years, more than three days after he or his parent, legal guardian, or other legal representative gives such notice: *Provided*, That (a) if within such three-day period there shall be filed in the District Court of the United States for the District of Columbia a petition with respect to such person, as provided by the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939, or (b) if an authorized representative of the Board of Public Welfare, upon receipt of a notice signed by the Superintendent of Saint Elizabeths Hospital or his authorized representative stating that in his opinion said person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, shall within such three-day period file a verified petition for a writ de lunatico inquirendo, or for an order of commitment, accompanied by the aforesaid notice, in the said District Court, alleging upon information and belief that such person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, such person shall be detained by the Superintendent of Saint Elizabeths Hospital until a final judgment is entered by the Court upon any such petition and any petition filed in accordance with clause (b) of this proviso, accompanied by the aforesaid notice, shall forthwith be referred by the Court to the Commission on Mental Health, which said petition and notice shall be sufficient to initiate proceedings before said Commission. Pending the hearing upon the petition, such person need not be sent to Gallinger Hospital for observation and treatment, but shall be detained in Saint Elizabeths Hospital for observation and treatment.

Detention after notice for release.

Petition for writ de lunatico inquirendo.

53 Stat. 1293.
D. C. Code §§ 21-310 to 21-325.
Post, p. 1195.

SEC. 3. The cost of board, medical care, and treatment furnished under this Act shall be a charge upon the District of Columbia and shall be paid by the District of Columbia to Saint Elizabeths Hospital. The District of Columbia is authorized to make such agreement as it deems necessary with any patient seeking board, medical care, and treatment under this Act, or any other person or persons legally responsible therefor, for payment to the District of Columbia of the cost of such board, medical care, and treatment, or for the payment of a part of such cost; and is further authorized to take appropriate steps by legal action or otherwise to enforce such agreement, or, in the absence of an agreement, to recover such cost of board, medical care, and treatment, or any part thereof, from the patient or from any person or persons legally liable therefor. The District of Columbia shall not be charged with the cost of board, medical care, and treatment furnished for any boarder and patient with respect to whom the certification required under section 1 of this Act shall have been revoked by the Board of Public Welfare, and the said Board is authorized to order revocation of any such certification: (a) When any person fails to make any payment under any agreement entered into under this Act for the cost of board, medical care, and treatment; or (b) when, after a boarder and patient has been admitted to such hospital under a certification, without any agreement having been entered into for his care and treatment, the said Board determines, upon evidence satis-

Financial agreement.

Revocation of certification.

factory to it, that such boarder and patient is able, or other persons legally liable for his care are financially able, to bear all or part of such cost; or (c) when such certification has been made erroneously: *Provided*, That revocation of such certification shall not take effect until a copy of the order of revocation shall have been served upon the Superintendent of Saint Elizabeths Hospital or his authorized representative.

Regulations.

SEC. 4. The Superintendent of Saint Elizabeths Hospital, with the approval of the Federal Security Administrator, is authorized to prescribe such regulations as he shall deem necessary to carry out the provisions of this Act relating to the hospital.

SEC. 5. The Commissioners of the District of Columbia are authorized to prescribe such regulations as they shall deem necessary to carry out the provisions of this Act relating to the Board of Public Welfare and the District of Columbia.

Effective date.

SEC. 6. This Act shall become effective sixty days after enactment.

Approved June 22, 1948.

[CHAPTER 600]

June 22, 1948
[S. 2122]
[Public Law 738]

AN ACT

To authorize the Coast Guard to operate and maintain ocean stations.

Coast Guard.
Floating ocean stations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coast Guard is authorized to operate and maintain floating ocean stations for the purpose of providing search and rescue, communication, and air navigation facilities, and meteorological services in such ocean areas as are regularly traversed by aircraft of the United States.

Air navigation facilities.

SEC. 2. The Coast Guard is authorized, subject to approval by the Administrator of Civil Aeronautics, to operate, on floating ocean stations authorized by section 1 hereof, such air navigation facilities as the Administrator may find necessary or desirable for the safe and efficient protection and control of air traffic. The Coast Guard, in establishing, maintaining, or operating any air navigation facilities herein provided, shall request the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage.

Approved June 22, 1948.

[CHAPTER 601]

June 22, 1948
[H. R. 4964]
[Public Law 739]

AN ACT

To preserve seniority rights of ten-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier.

Postal Service.
Veterans' preference eligibility.
58 Stat. 387.
5 U. S. C. §§ 851-869; Supp. I, § 851 *et seq.*
Ante, p. 3; *post*, pp. 575, 1233.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any letter carrier or clerk in the postal service entitled as a preference eligible to ten points under the Veterans' Preference Act of 1944, as amended, in addition to his earned rating who, on or after the date of enactment of this Act, transfers from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, shall not incur loss of seniority by reason of such transfer if, within thirty days after such transfer, he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

Transfer from one position to another.

(b) Any such letter carrier or clerk who, prior to the date of enactment of this Act, has transferred from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, and has incurred loss of seniority by reason of such transfer, shall be restored the seniority to which he would have been entitled if such transfer had not occurred if he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

(c) No regular employee shall be reduced to substitute status to accord the benefits of this Act to another employee.

Approved June 22, 1948.

[CHAPTER 602]

AN ACT

Relating to the compensation of certain railway postal clerks.

June 22, 1948
[H. R. 5272]
[Public Law 740]

Railway postal clerks.
Transfer or reassignments; salary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the paragraph headed Railway Mail Service in the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes", approved March 3, 1917, which reads "*Provided further*, That hereafter when railway postal clerks are transferred from one assignment to another because of changes in the service their salaries shall not be reduced by reason of such change:" (U. S. C., 1940 edition, title 39, sec. 632), is hereby amended to read as follows: "*Provided, however*, That railway postal clerks of any grade transferred or reassigned after June 30, 1945, from one assignment or classification to another because of classification or changes in the service shall not be reduced in grade or salary by reason of such classification or change, and while serving in miscellaneous assignments they will be carried on the roster of their own organizations and retain the promotion status authorized by law for the positions from which withdrawn and be paid after this enactment by the hour for actual services performed when on other than road duty, and shall be paid for road services performed according to the time value of the trip of such road service including a proper allowance for all services required on lay-off periods, as are provided for regular employees assigned to road duty, until again restored to regular positions, the hourly rate for such pay to be determined by dividing the annual salary by 2024, the number of working hours in a year.

39 Stat. 1065.

Approved June 22, 1948.

[CHAPTER 604]

AN ACT

To amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

June 22, 1948
[S. 1493]
[Public Law 741]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semicolon and that the following be added thereto: "*Provided*, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency."

5 U. S. C. § 868.

Recommendation of Civil Service Commission.

Approved June 22, 1948.

[CHAPTER 605]

AN ACT

June 22, 1948
[H. R. 5071]
[Public Law 742]

To extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma.

Red River in Oklahoma.
Extension of public-land laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public-land laws of the United States be, and the same are hereby, extended to the public lands in that part of the Red River between the medial line and the south bank of the river, in Oklahoma, between the ninety-eighth meridian and the east boundary of the territory established as Greer County by the Act of May 4, 1896 (29 Stat. 113): *Provided*, That such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry, and other disposal by the Secretary of the Interior according to law.

Settlement claims and homestead entries.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to recognize equitable claims to such lands based on settlement made prior to January 1, 1934, and all homestead entries of such lands, the allowance of which was erroneous because the lands were not subject to entry, and all suspended entries and applications to make final proof, are hereby validated if otherwise regular, as of the date of the regular application.

Repeal.
30 U. S. C. §§ 230-236.

SEC. 3. Except as to existing valid rights, the Act of March 4, 1923 (42 Stat. 1448) is hereby repealed.

Approved June 22, 1948.

[CHAPTER 607]

AN ACT

June 23, 1948
[H. R. 2588]
[Public Law 743]

Requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of thirty-five miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

Air mail.
Use of government-owned vehicles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all mail consigned from an airport to a post office at which there is established a Government-owned motor-vehicle service operated by driver-mechanics in the motor-vehicle service of the Post Office Department or from such a post office to an airport, shall, if possible, be transported by such Government-owned motor vehicle: *Provided*, That such mails need not be so transported when the distance between the post office and the airport is in excess of thirty-five miles.

Helicopters.

SEC. 2. Nothing in this Act shall be construed as prohibiting the delivery of such mails by helicopter or similar aircraft.

Effective date.

SEC. 3. This Act shall become effective ninety days after enactment.

Approved June 23, 1948.

[CHAPTER 608]

AN ACT

June 23, 1948
[H. R. 6766]
[Public Law 744]

To amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes.

Railroad retirement and unemployment insurance.
50 Stat. 310; 60 Stat. 728.
45 U. S. C. § 228c (a), (e).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Railroad Retirement Act of 1937, as amended, is amended by changing "2" to "2.40", "1½" to "1.80", and "1" to "1.20". Subsection (e) of section 3 of the Railroad Retirement Act of 1937, as amended, is amended by changing "$3" to "$3.60" and "$50" to "$60".

SEC. 2. Subsection (f) of section 5 of the Railroad Retirement Act of 1937, as amended, is amended by inserting "(1)" before "Upon", by striking out "this subsection" wherever it occurs and inserting in lieu thereof "this paragraph", and by adding at the end thereof the following new paragraph:

60 Stat. 729.
45 U. S. C. § 228e (f).

"(2) Whenever it shall appear, with respect to the death of an employee on or after January 1, 1947, that no benefits, or no further benefits, other than benefits payable to a widow or parent upon attaining age sixty-five at a future date, will be payable under this section or, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended, there shall be paid to such person or persons as the deceased employee may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the person or persons in the order provided in paragraph (1) of this subsection or, in the absence of such person or persons, to his estate, a lump sum in an amount equal to the sum of 4 per centum of his compensation paid after December 31, 1936, and prior to January 1, 1947, and 7 per centum of his compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month), minus the sum of all benefits paid to him, or to others by reason of his death, under this Act and, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended: *Provided, however*, That if the employee is survived by a widow or parent who may upon attaining age sixty-five be entitled to further benefits under this section, or pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended, such lump sum shall not be paid unless such widow or parent makes and files with the Board an irrevocable election, in such form as the Board may prescribe, to have such lump sum paid in lieu of all benefits to which such widow or parent might otherwise become entitled under this section or, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended. Such election shall be legally effective according to its terms. Nothing in this section shall operate to deprive a widow or parent making such election of any insurance benefits under section 202 of the Social Security Act, as amended, to which such widow or parent would have been entitled had this section not been enacted. The term 'benefits' as used in this paragraph includes all annuities payable under this Act, lump sums payable under paragraph (1) of this subsection, and insurance benefits and lump-sum payments under section 202 of the Social Security Act, as amended, pursuant to subsection (k) of this section."

Lump-sum payment upon death of employee.

45 U. S. C. § 228e (k).

49 Stat. 623.
42 U. S. C. § 402.

Filing of irrevocable election.

"Benefits."

SEC. 3. The provisions of section 1 hereof shall apply to all annuities under section 2 of the Railroad Retirement Act of 1937, as amended, accruing during calendar months following the month of enactment hereof other than joint and survivor annuities heretofore awarded and survivor annuities deriving from joint and survivor annuities heretofore awarded; and the provisions of section 2 hereof shall be effective as of January 1, 1947. All annuities under the Railroad Retirement Act of 1935 and all joint and survivor annuities heretofore awarded and survivor annuities deriving from joint and survivor annuities heretofore awarded, accruing during the calendar months following the month of enactment hereof, and all pensions due in months following the first calendar month after the enactment hereof, shall be increased by 20 per centum. All recertifications required by reason of the provisions of this Act shall be made by the Railroad Retirement Board without application therefor.

Annuities.

50 Stat. 309.
45 U. S. C. § 228b.

Increase in annuity.

49 Stat. 967.
45 U. S. C. §§ 215-228 note.

Recertifications.

SEC. 4. Subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for so much of said subsection as precedes the proviso:

52 Stat. 1102.
45 U. S. C. § 358 (a).

Employer's contribution.

"(a) Every employer shall pay a contribution, with respect to having employees in his service, equal to the percentage determined as set forth below of so much of the compensation as is not in excess of $300 for any calendar month paid by him to any employee for services rendered to him after June 30, 1939:".

52 Stat. 1102.
45 U. S. C. § 358 (a).

SEC. 5. (a) Subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, is further amended by substituting a colon for the period at the end thereof and adding the following:

"1. With respect to compensation paid prior to January 1, 1948, the rate shall be 3 per centum;

"2. With respect to compensation paid after December 31, 1947, the rate shall be as follows:

"If the balance to the credit of the railroad unemployment insurance account as of the close of business on September 30 of any year, as determined by the Board, is:	The rate with respect to compensation paid during the next succeeding calendar year shall be:
$450,000,000 or more	½ percent.
$400,000,000 or more but less than $450,000,000	1 percent.
$350,000,000 or more but less than $400,000,000	1½ percent.
$300,000,000 or more but less than $350,000,000	2 percent.
$250,000,000 or more but less than $300,000,000	2½ percent.
Less than $250,000,000	3 percent.

Statement of balance of account.

"As soon as practicable following the enactment of this Act, the Board shall determine and proclaim the balance to the credit of the account as of the close of business on September 30, 1947, and on or before December 31 of 1948 and of each succeeding year, the Board shall determine and proclaim the balance to the credit of the account as of the close of business on September 30 of such year."

Adjustment.
52 Stat. 1102.
45 U. S. C. § 358 (a).

(b) Contributions paid under subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, prior to the enactment of the foregoing amendment thereof which are in excess of those required by said subsection as so amended shall be subject to adjustment or refund in accordance with the provisions of subsections (d) and (e) of said section 8.

45 U. S. C. § 358 (d), (e).
52 Stat. 1103.
45 U. S. C. § 358 (f).

SEC. 6. Subsection (f) of section 8 of the Railroad Unemployment Insurance Act, as amended, is amended to read as follows:

Division of deposits.

"(f) The contributions required by this Act shall be collected by the Board and shall be deposited by it with the Secretary of the Treasury of the United States, such part thereof as equals 0.2 per centum of the total compensation on which such contributions are based to be deposited to the credit of the fund and the balance to be deposited to the credit of the account."

52 Stat. 1104.
45 U. S. C. § 360 (a).

SEC. 7. Subsection (a) of section 10 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for subdivision (i) of the second sentence of said subsection: "(i) such part of all contributions collected pursuant to section 8 of this Act as is in excess of 0.2 per centum of the total compensation on which such contributions are based, together with all interest collected pursuant to section 8 (g) of this Act;".

Composition of railroad unemployment insurance account.
45 U. S. C. § 358.
Ante, p. 577; *supra*.

52 Stat. 1105.
45 U. S. C. § 361 (a).

SEC. 8. Subsection (a) of section 11 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for subdivision (i) of the second sentence of said subsection: "(i) such part of all contributions collected pursuant to section 8 of this Act as equals 0.2 per centum of the total compensation on which such contributions are based;".

Composition of railroad unemployment insurance administration fund.

Approved June 23, 1948.

[CHAPTER 609]

AN ACT

June 24, 1948
[S. 1266]
[Public Law 745]

To amend section 1064 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, relating to admissibility of testimony by a party to a transaction when the other party is incapable of testifying.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1064 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, is amended to read as follows:

31 Stat. 1357.
D. C. Code § 14-302.

"SEC. 1064. TESTIMONY OF SURVIVING PARTY.—In any civil action against a person who, from any cause, is legally incapable of testifying, or against the committee, trustee, executor, administrator, heir, legatee, devisee, assignee, or other representative of a deceased person or of the person so incapable of testifying, no judgment or decree shall be rendered in favor of the plaintiff founded on the uncorroborated testimony of the plaintiff or of the agent, servant, or employee of the plaintiff as to any transaction with or action, declaration or admission of the deceased or incapable person; and in any such action, if the plaintiff or any agent, servant, or employee of the plaintiff testifies as to any transaction with or action, declaration, or admission of the deceased or incapable person, no entry, memorandum, or declaration, oral or written, by the deceased or incapable person, made while he was capable and upon his personal knowledge, shall be excluded as hearsay."

Approved June 24, 1948.

[CHAPTER 610]

AN ACT

June 24, 1948
[S. 2508]
[Public Law 746]

Relating to salaries of certain officers and employees of the United States and certain officers and employees of Puerto Rico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 49b of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 793b (1)) is amended by striking out "$7,500" and inserting in lieu thereof "$10,000 to be paid out of funds appropriated by Congress for such purpose".

Organic Act of Puerto Rico, amendment.
61 Stat. 772.
48 U. S. C., Supp. I, § 793b (1).

SEC. 2. Section 50 of the Organic Act of Puerto Rico (U. S. C., title 48, secs. 797 and 798) is amended to read as follows:

39 Stat. 967.
48 U. S. C., Supp. I, § 797.

"SEC. 50. Except as otherwise provided in this or any other Act, the salaries and office expenses of all officials of Puerto Rico, including deputies, assistants, and other help, shall be such and be so paid out of the revenues of Puerto Rico as shall from time to time be determined by the legislature of Puerto Rico and approved by the Governor; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor. Until otherwise prescribed as provided by this section the annual salary of the Governor shall be $10,000; in addition to which he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Puerto Rico, with the furniture and effects therein, free of rental; and the annual salary of the head of each executive department shall be $6,000.

Salaries and expenses of officials.

"Notwithstanding the foregoing, the annual salary of the chief justice of the supreme court shall be $10,500, and the annual salary of each associate justice of the supreme court shall be $10,000. All of said salaries of the chief justice and associate justices shall be paid in equal monthly installments.

Premium of bond.

"Where any officer, during such time as his salary is fixed by this Act, is required to give a bond, the premium thereof shall be paid from the insular treasury."

39 Stat. 962.

SEC. 3. So much of section 34 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 838) as reads "Except as otherwise provided in this Act, no law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election or appointment, nor permit any officer or employee to draw compensation for more than one office or position." is amended to read as follows:

"Except as otherwise provided in this Act, no law shall extend the term of any public officer, permit any officer or employee to draw compensation for more than one office or position, or increase or diminish the salary or emoluments of any senator or representative during the term for which he is elected or appointed."

39 Stat. 960.

SEC. 4. Section 31 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 820) is amended by striking out "That members" and inserting in lieu thereof "Until otherwise prescribed pursuant to section 50 of this Act, members".

Ante, p. 579.

39 Stat. 957.

SEC. 5. Section 20 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 786) is amended by inserting after "$6,000" the following: "or such other sum not less than that payable to the head of any executive department as may be prescribed pursuant to section 50 of this Act".

Ante, p. 579.

39 Stat. 958.

SEC. 6. Section 22 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 779) is amended by inserting after "$5,000" the following: "or such other sum as may be prescribed pursuant to section 50 of this Act".

Ante, p. 579.

39 Stat. 964.

SEC. 7. The third and fourth sentences of section 38 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 750) are amended to read as follows: "The public service commissioner shall devote his entire time to his duties as such commissioner. Until otherwise prescribed pursuant to section 50 of this Act—

"(a) the salary of the public service commissioner shall be $6,000 a year, and

"(b) the compensation of the associated members shall be $10 for each day's attendance at the sessions of the commission, but in no case shall they receive more than $1,000 during any one year."

Effective date.

SEC. 8. This Act shall take effect thirty days after the date of its enactment.

Approved June 24, 1948.

[CHAPTER 611]

AN ACT

June 24, 1948
[H. R. 2867]
[Public Law 747]

To permit, subject to certain conditions, mining locations under the mining laws of the United States within that portion of the Harney National Forest, designated as a game sanctuary, and for other purposes.

Harney National Forest, S. Dak. Mining locations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the conditions herein provided, mining locations may be made under the general mining laws of the United States on lands of the United States situated within the exterior boundaries of that portion of the Harney National Forest designated as the Custer State Park Game Sanctuary, South Dakota, created pursuant to the provisions of the Act of June 5, 1920 (41 Stat. 986), as amended. A locator shall have the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber

16 U. S. C. §§ 675-678.

Post, p. 860.

required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however*, That the mining operations herein authorized shall be subject to such rules and regulations as the Secretary of Agriculture may deem necessary in furtherance of the purposes for which the said sanctuary was established: *Provided further*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the marking rules and timber sale practices applicable to the Harney National Forest, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development: *Provided further*, That the Secretary of Agriculture in his discretion may prohibit the location of mining claims within six hundred and sixty feet of any Federal, State, or county road, and within such other areas where the location of mining claims would not be in the public interest: *And provided further*, That no patent shall be issued by the United States on any location filed pursuant to the authority contained in this Act.

Rules and regulations.

Timber.

Location of claims, restriction.

Issuance of patents.

Sec. 2. To facilitate administration for the purpose for which the sanctuary has been established, the western boundary of the sanctuary lying north of Custer State Park is hereby redefined as follows:

Western boundary of sanctuary.

Beginning at the east quarter corner of section 7, township 2 south, range 5 east, Black Hills meridian; thence south along said section line to its intersection with a line three hundred feet north of the Horse Thief Lake Road; thence southwesterly along a line three hundred feet northwesterly from the center line of said road and running approximately parallel thereto to the intersection of said road with United States Highway 85A; thence southerly along a line three hundred feet west of United States Highway 85A and approximately parallel thereto to the present south boundary of said sanctuary in section 3 south, range 4 east, Black Hills meridian.

Approved June 24, 1948.

[CHAPTER 612]

AN ACT

June 24, 1948
[H. R. 3889]
[Public Law 748]

To amend Veterans Regulation Numbered 1 (a), parts I and II, as amended, to establish a presumption of service connection for chronic and tropical diseases.

Veterans.
Chronic and tropical diseases.
38 U. S. C. note foll. § 739.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraph (c) of paragraph I, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "*Provided further*, That the term 'chronic disease' as used in this paragraph shall include anemia, primary; arteriosclerosis; arthritis, bronchiectasis; calculi of the kidney, bladder, or gall bladder; cardiovascular-renal disease, including hypertension, myocarditis, Buerger's disease and Raynaud's disease; cirrhosis of the liver; coccidiomycosis; endocarditis; diabetes, mellitus; endocrinopathies; epilepsies; Hodgkin's disease; leukemia, nephritis; osteitis, deformans; osteomalacia; organic diseases of the nervous system, including tumors of the brain, cord, or peripheral nerves; encephalitis lethargica residuals; scleroderma; tuberculosis, active; tumors, malignant; ulcers, peptic (gastric or duodenal) and

"Chronic disease."

Tropical diseases. Service connection.

such other chronic diseases as the Administrator of Veterans' Affairs may add to this list: *And provided further*, That, subject to the limitations of this subparagraph, tropical diseases, such as cholera; dysentery; filariasis; leishmaniasis; leprosy; loiasis; malaria; black water fever; onchocerciasis; oroya fever; dracontiasis; pinta; plague; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy, administered in connection with such diseases, or as a preventative thereof, shall be accorded service connection when shown to exist within one year after separation from active service or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service."

38 U. S. C. note foll. § 739.

SEC. 2. Veterans Regulation Numbered 1 (a), part II, paragraph I, as amended, is hereby amended by adding subparagraph (d) thereto, said paragraph to read as follows: "That for the purpose of paragraph I (a) hereof, any person who served in the military or naval service for six months or more and was honorably discharged therefrom and contracts a tropical disease such as cholera; dysentery; filariasis; leishmaniasis; leprosy; loiasis; malaria; black water fever; onchocerciasis; oroya fever; dracontiasis; pinta; plague; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy administered in connection with such diseases, or as a preventative thereof, unless shown by clear and unmistakable evidence to have had its inception prior or subsequent to active service, shall be deemed to have incurred such disability in active service when it is shown to exist within one year after separation from active service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service."

Approved June 24, 1948.

[CHAPTER 613]

June 24, 1948
[H. R. 4071]
[Public Law 749]

AN ACT

To amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended.

Federal Food, Drug, and Cosmetic Act, amendment.
52 Stat. 1042.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (k) of section 301 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 331 (k)), is amended to read as follows:

Removal of label, etc.

"(k) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to, a food, drug, device, or cosmetic, if such act is done while such article is held for sale (whether or not the first sale) after shipment in interstate commerce and results in such article being adulterated or misbranded."

52 Stat. 1044.

SEC. 2. Subsection (a) of section 304 of such Act, as amended (21 U. S. C. 334 (a)), is amended by inserting immediately after the words "when introduced into or while in interstate commerce" the following: "or while held for sale (whether or not the first sale) after shipment in interstate commerce".

Approved June 24, 1948.

[CHAPTER 614]

AN ACT

June 24, 1948
[H. R. 5275]
[Public Law 750]

To amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 1685 of the Tariff Act of 1930 is hereby amended to read as follows:

46 Stat. 678.
19 U. S. C. § 1201, par. 1685.

"PAR. 1685. Guano; basic slag (ground or unground); manures; limestone, crude, crushed, or broken, when imported to be used in the manufacture of fertilizer; and (notwithstanding any other provision of this Act) those grades of substances used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers."

Approved June 24, 1948.

[CHAPTER 615]

AN ACT

June 24, 1948
[H. R. 6188]
[Public Law 751]

To confer jurisdiction over the Fort Des Moines Veterans' Village upon the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That exclusive civil and criminal jurisdiction, including the right of suffrage, over the Fort Des Moines Veterans' Village is hereby conferred upon the State of Iowa. Such jurisdiction shall terminate whenever the rights and privileges granted to the city of Des Moines by the instrument executed on December 24, 1946, by the United States (acting by the Commissioner of the Federal Public Housing Authority) and the city of Des Moines shall terminate.

Fort Des Moines Veterans' Village, Iowa.
Jurisdiction.

SEC. 2. As used in this Act, the term "Fort Des Moines Veterans' Village" means the land leased by the United States to the city of Des Moines on December 24, 1946.

SEC. 3. This Act shall take effect upon the acceptance by the Executive Council of the State of Iowa of the jurisdiction conferred by the first section.

Approved June 24, 1948.

[CHAPTER 616]

AN ACT

June 24, 1948
[H. R. 6698]
[Public Law 752]

To authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding four Filipinos at a time to receive instruction at the United States Naval Academy at Annapolis, Maryland. The Filipinos receiving instruction under authority of this Act shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, and, subject to such exceptions as may be determined by the Secretary of the Navy, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as midshipmen at the Naval Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the Naval Academy.

U. S. Naval Academy.
Instruction of Filipinos.

Restriction.

Approved June 24, 1948.

[CHAPTER 617]

AN ACT

June 24, 1948
[H. R. 6772]
[Public Law 753]

Making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes.

Department of the Navy Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, namely:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including travel of dependents of employees to and from navy yards or stations outside the continental limits of the United States, and other expenses as authorized by section 1 of the Act of August 2, 1946 (Public Law 604); physical examinations by civilian physicians of civilian employees in accordance with section 2 of the Act of August 2, 1946 (Public Law 604); expenses of courts and boards; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Naval Personnel); costs of suits; expenses authorized by section 38 of the Act of August 2, 1946 (Public Law 604), for Latin-American cooperation; postage, foreign and domestic and post-office box rentals; microphotographic services; and other necessary and incidental expenses; $7,500,000, of which $2,250,000 is for payment of claims as provided in the Act approved July 3, 1944 (46 U. S. C. 797), the Act of August 2, 1946 (28 U. S. C. 921), and the Act of December 28, 1945 (31 U. S. C. 222e), which are not eligible for payment under the provisions of the Act approved March 27, 1942 (15 U. S. C. 606b-2).

60 Stat. 853.
5 U. S. C. § 421c, 415c.

60 Stat. 858.
5 U. S. C. § 421f.

58 Stat. 726.
60 Stat. 843.
Post, p. 1008.
59 Stat. 662.
56 Stat. 175.
15 U. S. C., Supp. I, § 606b-2.

CONTINGENCIES OF THE NAVY

For all emergencies and extraordinary expenses, authorized by section 6 of the Act of August 2, 1946 (Public Law 604), to be expended on the approval and authority of the Secretary, and his determination shall be final and conclusive upon the accounting officers of the Government, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, $12,000,000.

60 Stat. 853.
5 U. S. C. § 419c.

RESEARCH, NAVY

For expenses, not otherwise provided for, necessary in carrying out the Act of August 1, 1946 (Public Law 588), establishing the Office of Naval Research, $42,255,000: *Provided*, That not to exceed $1,500,000 may be available for administrative expenses, exclusive of the Naval Research Laboratory, and the Special Devices Center.

60 Stat. 779.
5 U. S. C. §§ 475-475f.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary to carry out the provisions contained in the Act approved June 4, 1920, as amended (34 U. S. C. 524), requiring him to explore, prospect, conserve, develop, use and operate the naval petroleum reserves, $9,245,500: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed $5,000,000, shall be available to enable the Secretary

41 Stat. 813.

to protect Naval Petroleum Reserve Numbered 1, by drilling wells and performing any work incident thereto: *Provided further*, That no part of the sum made available in the foregoing provision for the protection of Naval Petroleum Reserve Numbered 1 shall be expended if satisfactory agreement or agreements can be made with owners of land within or adjoining said Reserve Numbered 1 not to drill wells for the purpose of producing oil or gas: *Provided further*, That not to exceed $2,500,000 of the appropriation under this head in the Act of July 5, 1945 (Public Law 132, 79th Congress), shall continue available during the fiscal year 1949 for the liquidation of obligations incurred thereunder during the fiscal year 1946.

Agreements with landowners.

59 Stat. 426.

Naval Petroleum Reserve Numbered 4, Alaska: For continuing exploration and prospecting in Naval Petroleum Reserve Numbered 4, as authorized in the Act approved June 4, 1920, as amended (34 U. S. C. 524), $14,600,000, to be available immediately: *Provided*, That the unexpended balance of the appropriation of $9,600,000 made available for this purpose by the Navy Department Appropriation Act, 1947, shall be consolidated with this appropriation, to be disbursed and accounted for as one fund which shall remain available until June 30, 1951.

41 Stat. 813.

ISLAND GOVERNMENTS

Expenses incident to the administration of island governments, including liberated and occupied areas and the Trust Territory of the Pacific Islands; $2,250,000.

NAVAL OBSERVATORY

For expenses necessary for the operation and maintenance of the Naval Observatory and its observation stations, including pay of employees, and all printing and binding for the Naval Observatory, $465,000.

HYDROGRAPHIC OFFICE

For expenses necessary for the maintenance and operation of the Hydrographic Office and of the branch hydrographic offices, including pay of employees; hydrographic surveys; all printing and binding for the Hydrographic Office; and purchase of nautical and aeronautical charts and publications; $3,500,000.

BUREAU OF NAVAL PERSONNEL

TRAINING AND EDUCATION, NAVY

Training and education: For maintenance and operation of naval training and educational activities; including rent and pay of employees in the field service, professors (including services of a professor of international law at the Naval War College, $3,000), instructors, and lecturers (including not to exceed $6,000 for services of lecturers at the Naval War College); annuity premiums under the Act of January 16, 1936 (34 U. S. C. 1073); postgraduate instruction of officers; individual training of officers and enlisted personnel at home and abroad; and other necessary expenses of training and educating naval personnel not otherwise provided for; $13,200,000.

49 Stat. 1092.

WELFARE OF NAVAL PERSONNEL

Welfare of naval personnel: For contributions for the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); libraries and library expenses for ships and shore stations not otherwise provided for; and welfare and recreation of the Navy (to be expended in the discretion of the Secretary); $2,400,000.

60 Stat. 854.
5 U. S. C. § 421d.

OFFICER CANDIDATE TRAINING

Officer candidate training: For expenses incident to the conduct of officer candidate training, as authorized by the Act of August 13, 1946 (Public Law 729), and of the Naval Reserve Officers' Training Corps under such regulations as the President may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended (34 U. S. C. 821), $12,000,000.

60 Stat. 1057.
34 U. S. C. §§ 1020–1020*l*; Supp. I, § 1020b *et seq.*
Ante, p. 485.
43 Stat. 1276.

GENERAL EXPENSES, BUREAU OF NAVAL PERSONNEL

General expenses, Bureau of Naval Personnel: For necessary expenses of the Bureau of Naval Personnel not otherwise provided for, including pay of employees in the field service, rent of buildings and offices, expenses of prisoners, maintenance and operation of prisons, disciplinary barracks and retraining commands, trophies, badges, medals, and engraving of medals, $1,400,000.

NAVAL RESERVE

For all expenses not otherwise provided for, authorized by the Naval Reserve Act of 1938, as amended (34 U. S. C. 852), and the Naval Aviation Cadet Act of 1942, as amended (34 U. S. C. 850a), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including designing, purchasing, and engraving of medals and trophies; all printing and binding for the Naval Reserve executed at the Government Printing Office; and rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve Activities; $125,436,000: *Provided*, That only this appropriation shall be available for such of the objects and purposes specified under the appropriations "Pay and subsistence of naval personnel" and "Transportation and recruiting of naval personnel," as are authorized by law for personnel of the Naval Reserve on active or inactive duty in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve.

52 Stat. 1175.
56 Stat. 737.
Availability of funds.
Post, pp. 587, 588.

NAVAL ACADEMY

Naval Academy: For expenses necessary for maintenance and operation of the Naval Academy, including such amounts, not otherwise provided for, as may be necessary to carry out the provisions of the Act of January 16, 1936 (34 U. S. C. 1073); and expenses of the Board of Visitors to the Naval Academy; $5,020,000, of which amount $2,000 shall be available exclusively for the care of a collection of ship models: *Provided*, That no part of any appropriation in this Act shall be available for the pay or allowances of any enlisted man of the Navy or Marine Corps assigned to duty at the Naval Academy, if such assignment will increase the total number so assigned above one thousand and twenty-five.

49 Stat. 1092.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For all salaries and expenses as authorized by law (31 U. S. C. 725h) and section 11 of the Act approved August 2, 1946 (Public Law 604), necessary for the maintenance and operation of the Naval Home, $380,000.

48 Stat. 1229.
60 Stat. 854.
24 U. S. C. § 21a.

BUREAU OF SHIPS

MAINTENANCE, BUREAU OF SHIPS

For designing hulls, machinery, and equipment of naval vessels, except armament; experimental, developmental, and research work; maintenance, repair, renewal, and alteration of hulls, machinery, and equipment of naval vessels, nonnaval vessels operated for naval require-

ments, and yard and district craft except machinery and equipment under the cognizance of other bureaus; docking of vessels; leasing of laying-up facilities and docks; maritime salvage services and other purposes in connection therewith authorized by law; relief of vessels in distress; hire of lighters, tugs, and small craft; charter and hire of vessels for auxiliary purposes where considered necessary by the Secretary of the Navy; pay, subsistence, and incidental expenses of civilian crews temporarily employed on naval vessels; equipage, appliances, supplies, materials, and services, at home and abroad, under the cognizance of the Bureau of Ships; searchlights and fire-control equipment for antiaircraft defense at shore stations; maintenance and operation, including maintenance and equipment of buildings and grounds and appurtenances, of the experimental, developmental, and research activities under the cognizance of the Bureau of Ships; maintenance and operation of the Naval Communication Service, including telephone, telegraph, and teletype rentals and tolls for the Navy Department and the Naval Establishment; maintenance and equipment of buildings, grounds and appurtenances of the Naval Communication Service at the seat of government and elsewhere; purchase, installation, repair, and preservation of machine tools, plant appliances, and equipment (including furniture in industrial activities) in naval establishments or private plants; pay of employees in the field service; accident prevention; incidental expenses for naval vessels, naval shipyards and stations, and other activities under the cognizance of the Bureau of Ships, such as photographing, plans, stationery, drafting instruments and other materials; and technical books and publications for said Bureau: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions; $360,000,000.

Antiaircraft defense at shore stations.

Machine tools, plant appliances, etc.

Tableware, etc., in officers' quarters.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

For necessary expenses of developing (and for research incidental thereto), procuring, producing, preserving, and handling ordnance supplies, material, and equipment for naval purposes; for essential equipment, facilities specifically for research and development, machine tools, replacements, and services at naval or private establishments; maintenance, operation, and other necessary expenses of naval ordnance shore activities; technical books and periodicals; maintenance, repair, and operation of motor-propelled and other freight and passenger-carrying vehicles at such activities; target practice; and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); $230,000,000.

Research, etc., facilities.

60 Stat. 854.
5 U. S. C. § 421d.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay, allowances, subsistence and quarters prescribed by law for naval personnel, including reserves on active duty—

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than eighty-five officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army,

which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, and engineering competition; men of the Fleet Reserve, inactive; nurses, female, active; six months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including interest on deposits by enlisted personnel; payments in settlement of claims under the Act of January 2, 1942 (31 U. S. C. 224d); commuted rations; money allowances for subsistence and quarters of enlisted personnel when not furnished quarters or subsistence in kind, and for enlisted personnel absent from messes on temporary duty not involving travel (during which time all other subsistence shall be stopped): *Provided*, That, except in the case of those who have specifically enlisted for such duty, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civilian employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department; total, pay and allowances, $1,111,116,000.

55 Stat. 880.

Enlisted men or civil employees as household servants.

Subsistence: For provisions for messes, subsistence in messes, and other subsistence in kind as authorized by law; $104,796,000.

Total.

In all, for pay and subsistence of naval personnel, $1,215,912,000, and the money herein specifically appropriated for "Pay and subsistence, Navy", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

RETIRED PAY, NAVY

For pay and allowances, as authorized by law, for all retired officer and enlisted personnel and nurses of the Navy (including the reserve components thereof) not on active duty, $78,520,650.

TRANSPORTATION AND RECRUITING OF NAVAL PERSONNEL

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers, nurses, and midshipmen while traveling under orders, and the cost of a compartment or such other accommodations as may be authorized by the Secretary of the Navy for security when secret documents are transferred by officer messenger or when valuable naval property is transported as hand baggage by personnel of the Naval Establishment, transportation of enlisted personnel and applicants for enlistment at home and abroad, transportation of prisoners, and insane supernumerary patients to hospitals, all with subsistence and transfers en route or cash in lieu thereof; expenses of funeral escorts of naval personnel and apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and expenses incident to transportation; transportation of dependents of officers and enlisted personnel, including those of retired and Reserve officers and of retired and Reserve enlisted personnel of grades entitled to transportation of dependents in the Regular Navy when ordered to active duty (other than training)

Secret documents.

Transportation of dependents.

and upon release therefrom; for actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of the shore-patrol detachment; for all necessary expenses for recruiting for the naval service, including lodging and subsistence of applicants, rent of rendezvous and expenses of maintaining the same, and advertising for and obtaining men; and personal services of field employees necessary for the purposes of this appropriation; $32,000,000.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including scientific investigations, commissions, interest, and exchange; ferriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards for naval purposes, not otherwise provided for; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; packing, unpacking, and local handling, as authorized by law, of household goods and effects of civilian and naval personnel of the Naval Establishment; ice and mechanical devices for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards); and for losses in the accounts of Navy and Marine Corps officers certified under the Act of July 11, 1919 (31 U. S. C. 105), the Act of June 10, 1921 (31 U. S. C. 104), the Act of December 23, 1944 (50 U. S. C. App. 1705, 1706), and the Act of July 26, 1947 (Public Law 248); $209,000,000.

41 Stat. 132.
42 Stat. 24.
58 Stat. 921.
61 Stat. 493.
31 U. S. C., Supp. I, § 95a note.

TRANSPORTATION OF THINGS

For transportation of things (as defined by Budget-Treasury Regulation Numbered 1) pertaining to the Navy (excluding Marine Corps), $85,000,000.

FUEL, NAVY

For fuel, water, and other utilities for submarine bases and naval vessels, including expenses of storage and handling; removal of fuel refuse from ships and maintenance and general operation of fleet fueling facilities; $65,000,000.

BUREAU OF MEDICINE AND SURGERY

MEDICAL DEPARTMENT

For equipment, supplies, maintenance, and operation of Medical Department activities ashore and afloat, and compensation of employees; tolls and ferriage; necessary instruction of personnel, including equipment; issuance of medical bulletins and information; laundry supplies and services; care of the dead as authorized by law, including transportation; purchase of technical books and periodicals; optical supplies for naval personnel under regulations prescribed by the Secretary; and other necessary expenses, including care, maintenance and treatment of patients in naval and other hospitals, as provided by regulation; $40,000,000.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the pay of employees in the field service, materials, supplies, and facilities necessary for the operation and general maintenance of activites and properties under the cognizance of the Bureau of Yards and Docks; purchase for replacement only (including one at a cost not exceeding $3,000) and hire of passenger motor vehicles; contribution

60 Stat. 854.
5 U. S. C. § 421d.
Housing projects.

42 U. S. C. §§ 1501-1505, 1521-1574; Supp. I, §§ 1501-1505, 1521 *et seq.*
Ante, pp. 356, 492; *post*, p. 1062.

to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); $145,500,000; for expenses of operation and maintenance of housing projects maintained and operated as such by the Department of the Navy and developed under the provisions of the Acts of June 28, 1940 (54 Stat. 676); September 9, 1940 (54 Stat. 872); October 14, 1940 (54 Stat. 1125); March 1, 1941 (55 Stat. 14); May 24, 1941 (55 Stat. 197); and December 17, 1941 (55 Stat. 810), including utilities, roads, walks, and accessories, and expenses found necessary in the disposition of any such property or the removal of temporary housing; $4,875,000; in all, $150,375,000:

Restriction.

Provided, That none of these funds shall be used to pay for the maintenance or operation of any defense housing unit for any civilian employees of the Department of the Navy unless the rental rate charged for the civilian occupancy of any such defense housing unit shall be at such rate as may be prescribed by law or in pursuance of law for housing of similar character and size in the general geographical area where such defense housing may be located: *Provided further*, That this appropriation shall be available for any expenses incident to transferring offices of the Navy Department between buildings at the seat of government.

Transfer of offices.

BUREAU OF AERONAUTICS

AVIATION, NAVY

For replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, $25,000,000; for maintenance, repair, and operation of aircraft, aircraft factory, air stations, testing laboratories, fleet and all other aviation activities, technical books and periodicals for use in the Bureau of Aeronautics and the field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for contribution to the support of schools as authorized by section 13 of the Act of August 2, 1946 (Public Law 604), $450,000,000; for continuing experiments, development, and research on all types of aircraft, $110,000,000; in all, $585,000,000: *Provided*, That the unexpended balance of the appropriation for "Aviation, Navy," in the Naval Appropriation Act, 1946, shall remain available during the fiscal year 1949, in such amount as may be necessary for the liquidation of contractual obligations incurred during the fiscal year 1946 for aircraft, aircraft equipment, and continuing experimental and developmental procurement.

60 Stat. 854.
5 U. S. C. § 421d.

Liquidation of contractual obligations.
59 Stat. 212.

MARINE CORPS

PAY, MARINE CORPS

Officers on active duty.

Pay of officers: For pay and allowances prescribed by law for all officers on active duty, including increased pay for making aerial flights by nonflying officers or observers at rates not in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers, $38,878,000;

Pay of enlisted personnel: For pay and allowances of all enlisted personnel and musicians on active duty as prescribed by law; expenses of clerks of the Marine Corps traveling under orders; additional compensation for enlisted personnel of the Marine Corps qualified as experts, sharpshooters, marksmen, aircraft machine gunners, or regularly detailed as gun captains, gun pointers; interest on deposits by enlisted personnel; pay of enlisted personnel designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore; and for gratuities to enlisted personnel discharged not under honorable conditions; $145,744,000;

For pay and allowances of personnel of the Marine Corps Reserve not otherwise provided for as prescribed by law, $15,313,000; Marine Corps Reserve.

For mileage, actual and necessary expenses, and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, $1,352,000; Mileage, etc.

In all, $201,287,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

RETIRED PAY, MARINE CORPS

For pay and allowances, as authorized by law, for all retired officers and enlisted personnel of the Marine Corps (including the reserve components thereof) not on active duty, $8,519,000.

PAY OF CIVIL FORCE, MARINE CORPS

Pay of civil force: For personal services at the seat of government, as follows:

Offices of the Commandant of the Marine Corps and the Director of Personnel, Marine Corps, $1,100,000.

Supply Department, United States Marine Corps, $1,078,000.

GENERAL EXPENSES, MARINE CORPS

General expenses, Marine Corps: For all necessary expenses for the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For provisions, subsistence, board, and lodging of enlisted personnel, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted personnel traveling on duty; ice, ice machines and their maintenance; clothing for enlisted personnel and for civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; fuel, heat, light, and power, including sales to officers; military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted personnel by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions; transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; payment for transportation of general court-martial prisoners; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; transportation for dependents of officers and enlisted personnel; repairs and improvements to barracks, quarters, and other public buildings at posts and stations; leasing and improvement of buildings at such places as the public exigencies require; erection of temporary buildings upon approval of the Secretary of the Navy at a total cost of not to exceed $70,000 during the year; forage and stabling of public animals and the authorized number of officers' horses; miscellaneous supplies, material, equipment, personal and other services, and other incidental expenses for the Marine Corps not otherwise provided for; purchase and repair of furniture and fixtures; purchase (for replacement only) and hire of passenger motor vehicles; veterinary services, shoeing, and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; books, newspapers, and periodicals; printing and binding;

Military supplies.

Transportation, etc.

Barracks, quarters, etc.

Forage and stabling.

Miscellaneous supplies.

packing and crating of officers' allowance of baggage; care of the dead as authorized by law, including transportation; construction, operation, and maintenance of laundries; contribution to the support of schools at Marine Corps posts as authorized by section 13 of the Act of August 2, 1946 (Public Law 604); clothing, subsistence, heat, light, transportation, and miscellaneous expenses for the Marine Corps Reserve; $132,000,000.

Schools.

60 Stat. 854.
5 U. S. C. § 421d.

SHIPBUILDING

CONSTRUCTION OF SHIPS

Construction of ships: For expenses, not otherwise provided for, necessary for the construction and procurement of hulls, machinery, and equipment of vessels authorized by law and approved after July 17, 1947, in accordance therewith, including conversions and replacements, and tools and equipment for such construction in public and private plants, and group IVb personnel in the Bureau of Ships necessary for the purposes of this appropriation, $56,800,000; and in addition, $14,300,000 shall be transferred to this appropriation from the appropriation "Increase and replacement of naval vessels, construction and machinery", both amounts to be immediately available and to remain available until expended.

ORDNANCE FOR NEW CONSTRUCTION

Ordnance for new construction: For expenses, not otherwise provided for, necessary for the construction and procurement of armor, armament, and ammunition for vessels provided for in the appropriation "Construction of ships", including tools and equipment in public and private plants and group IVb personnel in the Bureau of Ordnance necessary for the purpose of this appropriation, for the production of armor, armament, and ammunition for said vessels, $9,470,000; and, in addition, $1,700,000 shall be transferred to this appropriation from the appropriation "Increase and replacement of naval vessels, armor, armament, and ammunition", both amounts to be immediately available and to remain available until expended: *Provided*, That the limitation on the availability of the appropriation "Increase and replacement of naval vessels" for construction of new vessels shall not be applicable to this appropriation nor the appropriation "Construction of ships".

INCREASE AND REPLACEMENT OF NAVAL VESSELS

Hereafter the balance remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for beginning the construction of any new vessels: *Provided*, That of the balances remaining of appropriations under this head, there shall be available during the fiscal year 1949 such sums as the Secretary may from time to time determine to be necessary for the employment of personnel in the Bureau of Ships and the Bureau of Ordnance in connection with the construction of vessels which have been heretofore authorized under this head.

Employment of personnel.

NAVY DEPARTMENT

SALARIES

For compensation for personal services at the seat of government, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Under Secretary of the Navy, Assistant Secretaries of the Navy, and other personal services, $3,965,000;

Office of Naval Research, $1,207,000;

Office of Naval Records and Library, $69,000;
Office of Judge Advocate General, $305,300;
Office of Chief of Naval Operations, $1,225,000;
Board of Inspection and Survey, $38,000;
Office of Chief of Naval Communications, $550,000;
Office of Naval Intelligence, $980,000;
Bureau of Naval Personnel, $4,532,000;
Bureau of Ships, $6,208,500;
Bureau of Ordnance, $3,012,600;
Bureau of Supplies and Accounts, $4,385,000;
Bureau of Medicine and Surgery, $1,046,200;
Bureau of Yards and Docks, $2,087,500;
Bureau of Aeronautics, $3,000,000;
In all, salaries, Navy Department, $32,611,100.

CONTINGENT EXPENSES

For technical reference and lawbooks, periodicals, and photostating for Department library; purchase of photographs, maps, documents, and pictorial records of the Navy; stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase, maintenance, repair, and operation of motortrucks and other necessary expenses of the Navy Department and its various bureaus and offices; $1,100,000: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided by law, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Use of naval service appropriations.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, not otherwise provided for, $2,635,000.

GENERAL PROVISIONS—DEPARTMENT OF THE NAVY

SEC. 102. No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department at the seat of government, including personal services of civilians, except as expressly authorized by law.

Navy funds, restriction.

SEC. 103. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled,

Canal Zone.
Citizenship requirement for civilian personnel.

48 U. S. C. § 1307 note.
Employment of Panamanian citizens.

Employees with 15 or more years of service.

Selection of personnel.

Hours of employment; pay rates.

technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend, from time to time in whole or in part, compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1949, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Applicability of section.

Suspension of compliance in time of war or emergency.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 104. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Commissions on land purchase contracts.

SEC. 105. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Transportation of personnel.

60 Stat. 903.
58 Stat. 649; 59 Stat. 315.
41 U. S. C. §§ 101-125; Supp. I, § 102 *et seq.*; 39 U. S. C. § 135 and note.
58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 351; *post*, p. 1103.
57 Stat. 247.
36 U. S. C. §§ 10, 11.

SEC. 106. The appropriations for the Naval Establishment for the fiscal year 1949 shall be available for providing transportation of naval and civilian personnel between their domiciles and places of employment as authorized by law; health service program as authorized by law (5 U. S. C. 150); carrying out the provisions of Public Law 395, approved July 1, 1944, Public Law 119, approved July 2, 1945, and Public Law 457, approved October 3, 1944; expenses authorized in Public Law 99, approved June 29, 1943; expenses including those heretofore incurred incident to the operation by the Navy of private plants taken over at the direction of the President, and the Secretary of the Navy may designate any naval appropriation to be

charged with such expenses, proper adjustments to be made on the basis of final costs between applicable appropriations; payment of rewards, as authorized by law, for information leading to the discovery of missing naval property or the recovery thereof.

Missing or captured personnel.

SEC. 107. Appropriations in this Act shall be available for the pay of missing or captured civilian or naval personnel under the provisions of Public Law 490, approved March 7, 1942, as amended, and for that which accrued during prior years and was not paid, including accruals of pay authorized by law for retired and reserve officers, nurses, enlisted personnel, and family allowances.

56 Stat. 143. 50 U. S. C. app. §§ 1001-1017; Supp. I, § 1001 *et seq.*

SEC. 108. During the fiscal year 1949 the Secretary of the Navy is authorized to procure services in accordance with section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), but at rates for individuals not in excess of $50 per day.

60 Stat. 810.

Compensation to noncitizens.

SEC. 109. Provisions of law prohibiting the payment of compensation to or employment of any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1949.

Transfer of foreign vessels, etc.

SEC. 110. The appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, shall be available for expenses in connection with the transfer to the United States of foreign vessels, including pay, subsistence, transportation, and repatriation of alien crews.

Surplus property.

SEC. 111. None of the funds appropriated in this Act for the fiscal year ending June 30, 1949, other than funds for which reimbursement is made hereunder, shall be available for any expenses for care, upkeep, repair, handling, and assistance in the sale of any property, material, or equipment subsequent to the date of a declaration of surplus covering such property to a disposal agency, or, if procedures are prescribed whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to the date of notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures. With respect to all such expenses, disposal agencies shall provide reimbursement to the Navy, for credit to the appropriations from which such expenses would be normally paid and the Navy is authorized to apportion, obligate, and expend funds from the several appropriations involved in advance of the reimbursement thereto: *Provided*, That reimbursement shall not be made for pay and allowances and subsistence of naval and Marine Corps personnel within the numbers appropriated for: *Provided further*, That advance payments based on the estimated expenses of the Department of the Navy may be made by any disposal agency: *Provided further*, That in lieu of ascertaining the direct expenses and the applicable portion of the indirect expenses, the Department of the Navy and the disposal agencies may agree on any basis for determining such expenses as will equitably accomplish the purpose of this section.

Advance payments by disposal agency.

Time-measuring devices, restriction.

SEC. 112. No part of the appropriations made in this Act shall be available for contracts with any person, firm, or corporation to make or cause to be made with a stop watch or other time-measuring device a time study of any job of any employee within the Navy; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant: and no moneys herein appropriated for the Naval Establishment or made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government naval ship-

Cash rewards, etc.

Work by private contractors, restriction.

yards or arsenals of the United States, when time and facilities permit, and when in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

Short title.

SEC. 113. This Act may be cited as the "Department of the Navy Appropriation Act, 1949".

Approved June 24, 1948.

[CHAPTER 618]

JOINT RESOLUTION

June 24, 1948
[S. J. Res. 203]
[Public Law 754]

Providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

Choctaw and Chickasaw Nations of Indians.
Ratification of contract.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following contract between the United States of America and the Choctaw and Chickasaw Nations of Indians, entered into on October 8, 1947, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), is hereby ratified by the Congress, to wit:

"CONTRACT

"This contract of purchase, by and between the United States of America entered into in its behalf by J. A. Krug, Secretary of the Interior, and the Choctaw and Chickasaw Nations, acting by William A. Durant, Principal Chief of the Choctaw Nation, and Floyd E. Maytubby, Governor of the Chickasaw Nation, pursuant to the provisions of the Act of June 28, 1944 (58 Stat. 483), and for the purpose of carrying out the terms and provisions thereof, it is mutually agreed between the parties hereto, as follows:

Purchase price.

"1. Subject to the approval of this contract by a vote of the living enrolled eligible voters of the Choctaw and Chickasaw Nations, and its ratification by the Congress of the United States, the United States agrees to pay to the Choctaw and Chickasaw Nations, and the Choctaw and Chickasaw Nations agree to accept, the sum of $8,500,000 in full payment for all of their right, title, and interest in the lands and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Supplemental Agreement of 1902 (32 Stat. 641), and in full and final settlement of any and all claims for damages against the United States for any failure on the part of the United States, its officers, agents, or employees, to sell such properties in accordance with the terms of the Supplemental agreement, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties by the United States, its officers, agents, or employees.

Credit of purchase price.

"2. Upon approval of this contract as provided by section 1 hereof, and its ratification by the Congress, the amount of the purchase price, when appropriated by the Congress, shall be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States, and shall be distributed as hereinafter set forth.

Conveyance.

"3. When the purchase price herein agreed upon shall have been appropriated, the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall execute a conveyance or conveyances, satisfactory in form and substance to the Secretary of the Interior, vesting in the United States all of the right, title, and interest of the said Choctaw and Chickasaw Nations, in and to such lands and mineral deposits, and releasing all claims for damages against the

United States for the failure of the United States, its officers, agents, and employees, to sell such properties in accordance with the terms and provisions of said Supplemental Agreement of 1902, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties.

32 Stat. 641.

"4. The purchase price when appropriated shall be allocated three-fourths (¾) to the Choctaw Nation and one-fourth (¼) to the Chickasaw Nation, and shall be distributed per capita by the Secretary of the Interior to the enrolled members of said Nations, exclusive of persons enrolled as Freedmen, who, under the Atoka Agreement (30 Stat. 495) are not entitled to share in this distribution. The share of a deceased member shall be distributed to his heirs or devisees determined in conformity with the law applicable at the date of the death of the deceased member, or the date of the death of his heirs or devisees.

Allocation of purchase price.

"Before payment is made to the heirs of any deceased member, proof of death and heirship satisfactory to the Superintendent for the Five Civilized Tribes Agency must be made, and the finding of said Superintendent upon such proof shall be final and conclusive. Such per capita payments shall be made directly to such members, or their heirs or devisees, any restrictions of law to the contrary notwithstanding, except that payments due to adults under legal disability, or to minors, may be made, under such rules and regulations as the Commissioner of Indian Affairs may prescribe, to legal guardians or curators of such adults or minors, or to natural guardians where legal guardians or curators have not been appointed.

Proof of death and heirship.

"No expenditure of any kind or character shall be allowed the United States as an offset or claim for reimbursement against the proceeds from the sale of such lands and mineral deposits.

"5. All proceeds from the sale of any of the properties mentioned herein made subsequent to the date of this contract, and prior to the appropriation of the purchase price, shall be credited on the purchase price. All royalties from any coal, asphalt, oil, gas, or other minerals mined from the herein mentioned properties, until the first of the month in which the purchase price shall be appropriated, the balance of the purchase price of any sales made prior to the date of this contract, and such other moneys as may be due the Choctaw and Chickasaw Nations from said properties, shall, when paid, be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States.

Proceeds from sale of property.

Royalties.

"6. This agreement shall not be binding upon the Choctaw and Chickasaw Nations until it has been duly approved by a majority of the living enrolled eligible voters of the Choctaw and Chickasaw Nations voting at a special election called for such purpose pursuant to the Act of June 28, 1944, and shall not be binding upon the United States until ratified by the Congress of the United States.

Approval and ratification.

58 Stat. 483.

"In Witness Whereof, the representatives of the parties hereto do hereunto affix their names this the 8th day of October, One Thousand Nine Hundred and Forty-Seven."

"J. A. KRUG,
"Secretary of the Interior.
"WILLIAM A. DURANT,
"Principal Chief of the Choctaw Nation.
"FLOYD E. MAYTUBBY,
"Governor of the Chickasaw Nation."

Approved June 24, 1948.

[CHAPTER 621]

AN ACT

June 24, 1948
[H. R. 6726]
[Public Law 755]

To amend the Public Health Service Act to provide for, foster, and aid in coordinating research relating to dental diseases and conditions, and for other purposes.

National Dental Research Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Dental Research Act".

PURPOSE

SEC. 2. The purpose of this Act is to improve the dental health of the people of the United States through the conduct of researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of dental diseases and conditions; assist and foster such researches and other activities by public and private agencies; provide training in matters relating to dental diseases and conditions; and promote the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of dental diseases and conditions.

RESEARCH AND TRAINING

58 Stat. 707.
Ante, p. 464.

SEC. 3. (a) The heading of title IV of the Public Health Service Act (42 U. S. C., ch. 6A), as amended, is amended to read "TITLE IV—NATIONAL CANCER, HEART, AND DENTAL INSTITUTES".

Ante, p. 466.

(b) Title IV of such Act is further amended by adding immediately after section 415 the following new part:

"PART C—NATIONAL INSTITUTE OF DENTAL RESEARCH

"ESTABLISHMENT OF INSTITUTE

"SEC. 421. There is hereby established in the Public Health Service a National Institute of Dental Research (hereafter in this part referred to as the 'Institute').

"DENTAL DISEASE RESEARCH AND TRAINING

58 Stat. 691.
42 U. S. C. § 241.
Ante, pp. 467, 468;
post, pp. 601, 1017.

"SEC. 422. In carrying out the purposes of section 301 with respect to dental diseases and conditions the Surgeon General, through the Institute and in cooperation with the National Advisory Dental Research Council (hereafter in this part referred to as the 'Council'), shall—

Fostering of researches, etc.

"(a) conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of dental diseases and conditions;

Coordination of researches.

"(b) promote the coordination of researches conducted by the Institute, and similar researches conducted by other agencies, organizations, and individuals;

Fellowships.

"(c) provide fellowships in the Institute from funds appropriated or donated for the purpose;

Consultations.

"(d) secure for the Institute consultation services and advice of persons from the United States or abroad who are experts in the field of dental diseases and conditions;

Cooperation with States.

"(e) cooperate with State health agencies in the prevention and control of dental diseases and conditions; and

Traineeships.

"(f) provide training and instruction and establish and maintain traineeships, in the Institute and elsewhere in matters relating

to the diagnosis, prevention, and treatment of dental diseases and conditions with such stipends and allowances (including travel and subsistence expenses) for trainees as he may deem necessary, the number of persons receiving such training and instruction, and the number of persons holding such traineeships, to be fixed by the Council, and, in addition, provide for such training, instruction, and traineeships through grants, upon recommendation of the Council, to public and other nonprofit institutions.

"ADMINISTRATION

"SEC. 423. (a) In carrying out the provisions of section 422 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and grants-in-aid for dental research and training projects shall be made only after review and recommendation of the Council made pursuant to section 424.

Ante, p. 598.
58 Stat. 691.
42 U. S. C. § 241.
Ante, pp. 467, 468; *post*, pp. 601, 1017.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of dental diseases and conditions, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of $50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

Acceptance of conditional gifts.
58 Stat. 709.
42 U. S. C. § 219.

"FUNCTIONS OF THE COUNCIL

"SEC. 424. The Council is authorized to—

"(a) review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of dental diseases and conditions, and certify approval to the Surgeon General, for prosecution under section 422 (a) hereof, of any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of dental diseases and conditions;

Review of research projects.

Ante, p. 598.

"(b) collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, or methods of diagnosis or treatment of dental diseases and conditions, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through appropriate publications for the benefit of health agencies and organizations (public or private), physicians, dentists, or any other scientists, and for the information of the general public;

Collection and dissemination of information.

"(c) review applications from any university, hospital, laboratory, or other institution, whether public or private, or from individuals, for grants-in-aid for research projects relating to dental diseases and conditions, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of dental diseases and conditions;

Review of applications for research grants.

"(d) recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 for carrying out the purposes of this part;

Recommendations.
58 Stat. 709.
42 U. S. C. § 219.

"(e) make recommendations to the Surgeon General with respect to carrying out the provisions of this part; and

"(f) review applications from any public or other nonprofit institution for grants-in-aid for training, instruction, and

Review of applications for training grants.

traineeships in matters relating to the diagnosis, prevention, and treatment of dental diseases and conditions, and certify to the Surgeon General its approval of such applications for grants-in-aid as it determines will best carry out the purposes of this Act.

"OTHER AUTHORITY WITH RESPECT TO DENTAL DISEASES AND CONDITIONS

"SEC. 425. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the study of the causes, prevention, or methods of diagnosis or treatment of dental diseases and conditions; or (b) the expenditure of money therefor.

Appropriation authorized.

"SEC. 426. There is hereby authorized to be appropriated the sum of $750,000 for each fiscal year, beginning with the fiscal year ending June 30, 1949, for the purpose of carrying out the provisions of this part."

NATIONAL ADVISORY DENTAL RESEARCH COUNCIL

58 Stat. 691.
42 U. S. C. § 218.
Ante, p. 467.

SEC. 4. (a) Section 217 of such Act is amended by adding at the end thereof the following new subsection:

Members.

"(g) The National Advisory Dental Research Council shall consist of the Surgeon General or his representative, the chief medical officer of the Veterans' Administration or his representative, the Surgeon General of the Army or his representative, the Surgeon General of the Navy or his representative, who shall be ex officio members, and twelve members appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The twelve appointed members shall be leaders in the fields of fundamental sciences, medical sciences, education, or public affairs; six of such twelve shall be selected from leading dental, medical, or scientific authorities who are outstanding in the study, diagnosis, or treatment of dental diseases and conditions, and at least four of such six shall be dentists. Each appointed member of the Council shall hold office for a term of four years except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Surgeon General at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed since the end of his preceding term. Every two years the Council shall elect one member to act as chairman for the succeeding two-year period."

Term of office.

Ante, p. 467.

(b) Subsection (b) of section 217 of such Act is amended to read as follows:

National Advisory Health Council.

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council, and where appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, the National Advisory Heart Council, or the National Advisory Dental Research Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

Ante, p. 467.

(c) The heading of section 217 of such Act is amended to read "National Advisory Health, Cancer, Mental Health, Heart, and Dental Research Councils."

(d) Subsection (e) of section 208 of such Act is amended to read as follows: *Ante*, p. 467.

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, members of the National Advisory Heart Council, and members of the National Advisory Dental Research Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

(e) Paragraph (d) of section 301 of such Act is amended to read as follows: *Ante*, p. 467; *post*, p. 1017.

"(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases, recommended by the National Advisory Heart Council, or, with respect to dental diseases and conditions, recommended by the National Advisory Dental Research Council;". Grants-in-aid to institutions and individuals.

(f) Paragraph (g) of such section 301 is amended to read as follows: *Ante*, p. 468.

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to heart diseases, upon recommendation of the National Advisory Heart Council, or, with respect to dental diseases and conditions, upon recommendations of the National Advisory Dental Research Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section." Additional means of research, etc.

RESEARCH FACILITIES

SEC. 5. There is hereby authorized to be appropriated a sum not to exceed $2,000,000 for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research in carrying out the provisions of this Act. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, or otherwise, a suitable and adequate site or sites, selected on the advice of the Surgeon General of the Public Health Service, in or near the District of Columbia for such buildings and facilities, and to erect thereon, furnish, and equip such buildings and facilities. The amount authorized to be appropriated in this section shall include the cost of preparation of drawings and specifications, supervision of construction, and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts, and supervise construction. Appropriation authorized.

GENERAL PROVISIONS

SEC. 6. (a) Section 2 of the Public Health Service Act, as amended, is amended by striking out the word "and" at the end of paragraph (m), by striking out the period at the end of paragraph (n) and inserting in lieu thereof "; and", and by inserting after paragraph (n) the following new paragraph: 60 Stat. 421. 42 U. S. C. § 201. *Ante*, p. 469.

"Dental diseases and conditions."

"(o) The term 'dental diseases and conditions' means diseases and conditions affecting teeth and their supporting structures, and other related diseases of the mouth."

60 Stat. 1048. 42 U. S. C. § 291k (b).

(b) Section 633 (b) of such Act is amended by striking out "$25" and by inserting in lieu thereof "$50".

Approved June 24, 1948.

[CHAPTER 622]

June 24, 1948 [S. 2192] [Public Law 756]

AN ACT

To amend the Interstate Commerce Act so as to permit the issuance of free passes to time inspectors of carriers subject to part I of such Act.

36 Stat. 547; 41 Stat. 475. 49 U. S. C. § 1 (7).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (7) of section 1 of the Interstate Commerce Act, as amended, is amended by striking out "its officers, surgeons, physicians, and attorneys at law," and inserting in lieu thereof the following: "its officers, time inspectors, surgeons, physicians, and attorneys at law,".

Approved June 24, 1948.

[CHAPTER 623]

June 24, 1948 [S. 2237] [Public Law 757]

AN ACT

To increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act.

Longshoremen's and Harbor Workers' Compensation Act, amendments. 44 Stat. 1426. 33 U. S. C. § 906 (b). Disability compensation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b) Compensation for disability shall not exceed $35 per week and compensation for total disability shall not be less than $12 per week: *Provided, however*, That, if the employee's average weekly wages, as computed under section 10, are less than $12 per week, he shall receive as compensation for total disability his average weekly wages."

44 Stat. 1431. 33 U. S. C. § 910. *Post*, p. 603.

SEC. 2. So much of subdivision (c) of section 8 of such Act, as amended, as precedes paragraph (1) thereof is amended to read as follows:

44 Stat. 1427. 33 U. S. C. § 908 (c) (1).

Permanent partial disability.

"(c) Permanent partial disability: In case of disability partial in character but permanent in quality the compensation shall be 66⅔ per centum of the average weekly wages, which shall be in addition to compensation for temporary total disability or temporary partial disability paid in accordance with subdivision (b) or subdivision (e) of this section, respectively, and shall be paid to the employee, as follows:".

44 Stat. 1429. 33 U. S. C. § 909 (a)-(c), (e).

SEC. 3. Subsections (a), (b), (c), and (e) of section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, are amended to read as follows:

Funeral expenses.

"(a) Reasonable funeral expenses not exceeding $400.

Surviving wife or husband.

"(b) If there be a surviving wife or dependent husband and no child of the deceased, to such surviving wife or dependent husband 35 per centum of the average wages of the deceased, during widowhood, or dependent widowerhood, with two years' compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 15 per centum of such wages for each such child; in case of the death or remarriage of such surviving wife or dependent husband, if there be one surviving child of the deceased employee, such child shall have his compensation increased to 35 per centum of such wages, and if there be more than one surviving child of the deceased employee, to such children, in

Surviving child.

Remarriage.

equal parts, 35 per centum of such wages increased by 15 per centum of such wages for each child in excess of one: *Provided*, That the total amount payable shall in no case exceed 66⅔ per centum of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

Total allowance.

"(c) If there be one surviving child of the deceased, but no surviving wife or dependent husband, then for the support of such child 35 per centum of the wages of the deceased; and if there be more than one surviving child of the deceased, but no widow or dependent husband, then for the support of such children, in equal parts 35 per centum of such wages increased by 15 per centum of such wages for each child in excess of one: *Provided*, That the total amount payable shall in no case exceed 66⅔ per centum of such wages.

Surviving child.

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $52.50 nor less than $18, but the total weekly compensation shall not exceed the weekly wages of the deceased."

Computation of death benefits.

SEC. 4. Subdivisions (a), (b), and (c) of section 10 of the Longshoremen's and Harbor Workers' Act, as amended, are amended to read as follows:

44 Stat. 1431. 33 U. S. C. § 910 (a)-(c).

"(a) If the injured employee shall have worked in the employment in which he was working at the time of the injury, whether for the same or another employer, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of three hundred times the average daily wage or salary for a six-day worker and two hundred and sixty times the average daily wage or salary for a five-day worker, which he shall have earned in such employment during the days when so employed.

Computation of average annual earnings.

"(b) If the injured employee shall not have worked in such employment during substantially the whole of such year, his average annual earnings, if a six-day worker, shall consist of three hundred times the average daily wage or salary, and, if a five-day worker, two hundred and sixty times the average daily wage or salary, which an employee of the same class working substantially the whole of such immediately preceding year in the same or in similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

"(c) If either of the foregoing methods of arriving at the average annual earnings of the injured employee cannot reasonably and fairly be applied, such average annual earnings shall be such sum as, having regard to the previous earnings of the injured employee in the employment in which he was working at the time of the injury, and of other employees of the same or most similar class working in the same or most similar employment in the same or neighboring locality, or other employment of such employee, including the reasonable value of the services of the employee if engaged in self-employment, shall reasonably represent the annual earning capacity of the injured employee."

SEC. 5. Subdivision (m) of section 14 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is hereby amended to read as follows:

44 Stat. 1434. 33 U. S. C. § 914 (m).

"(m) The total compensation payable under this Act for injuries shall in no event exceed the sum of $11,000: *Provided*, That this subdivision shall not apply to cases of permanent total disability or death: *And provided further*, That in cases of disability compensable under paragraph (21) of subdivision (c) of section 8 the total compensation for such disability, and for any temporary total disability or tempo-

Maximum amount.

Nonapplicability.

44 Stat. 1428. 33 U. S. C. § 908 (c) (21).

rary partial disability sustained in addition thereto, shall not exceed in the aggregate the sum of $10,000."

Applicability.

SEC. 6. The provisions of this Act shall be applicable only to injuries or deaths occurring on or after the effective date hereof.

Approved June 24, 1948.

[CHAPTER 624]

AN ACT

June 24, 1948
[S. 2505]
[Public Law 758]

To amend the Act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such Act, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act, entitled "An Act to authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments", approved August 1, 1947, is amended to read as follows:

Secretaries of Air Force and Defense.

61 Stat. 715.
5 U. S. C., Supp. I, §§ 230, 476.
Professional and scientific service.

"That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are respectively authorized to establish and fix the compensation for, within their respective departments, not more than thirteen positions each, and the Secretary of Defense is authorized to establish and fix the compensation for not more than six positions, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the National Military Establishment which requires the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this Act shall not be less than $10,000 per annum nor more than $15,000 per annum, and shall be subject to the approval of the Civil Service Commission."

Compensation.

SEC. 2. Section 3 of such Act is amended to read as follows:

61 Stat. 715.
5 U. S. C., Supp. I, §§ 232, 476b.
Report to Congress.

"SEC. 3. The Secretary of Defense shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this Act in the National Military Establishment during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate."

Approved June 24, 1948.

[CHAPTER 625]

AN ACT

June 24, 1948
[S. 2655]
[Public Law 759]

To provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Selective Service Act of 1948.

SECTION 1. (a) This Act may be cited as the "Selective Service Act of 1948".

(b) The Congress hereby declares that an adequate armed strength must be achieved and maintained to insure the security of this Nation.

(c) The Congress further declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy.

(d) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, both Ground and Air, as an integral part of the first line defenses of this Nation, be at all times maintained and assured.

39 Stat. 166.
10 U. S. C. § 2 *et seq.*; Supp. I, § 6 *et seq.*
Ante, pp. 87, 477; *post*, p. 643.

To this end, it is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the Ground Forces and the Air Forces, and those in active service under this title, the National Guard of the United States, both Ground and Air, or such part thereof as may be necessary, together with such units of the Reserve components as are necessary for a balanced force, shall be ordered to active Federal service and continued therein so long as such necessity exists.

(e) The Congress further declares that adequate provision for national security requires maximum effort in the fields of scientific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources.

AUTHORIZED PERSONNEL STRENGTHS

SEC. 2. Notwithstanding any other provision of law, the authorized active duty personnel strength of the armed forces, exclusive of personnel of the reserve components on active duty for training purposes only, officer candidates, personnel of the armed forces employed in the Selective Service System, and persons paid under the appropriations for the Naval Reserve and the Marine Corps Reserve, is hereby established as follows: (1) Of the Army of the United States, eight hundred thirty-seven thousand plus one hundred ten thousand one-year enlistees; (2) of the Navy, including the Marine Corps, the present authorized statutory strength of six hundred sixty-six thousand, eight hundred and eighty-two, plus thirty-six thousand one-year enlistees; and (3) of the Air Force of the United States, five hundred two thousand plus fifteen thousand one-year enlistees. The strength herein established for each of the armed forces shall mean the daily average number of persons on active duty therein during the fiscal year.

REGISTRATION

SEC. 3. Except as otherwise provided in this title, it shall be the duty of every male citizen of the United States, and every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder.

Age limits.

TRAINING AND SERVICE

SEC. 4. (a) Except as otherwise provided in this title, every male citizen of the United States, and every other male person residing in

the United States, who is between the ages of nineteen and twenty-six, at the time fixed for his registration, or who attains the age of nineteen after having been required to register pursuant to section 3 of this title, shall be liable for training and service in the armed forces of the United States. Any citizen of a foreign country, who is not deferrable or exempt from training and service under the provisions of this title (other than this subsection), shall be relieved from liability for training and service under this title if, prior to his induction into the armed forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President; but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States. The President is authorized from time to time, whether or not a state of war exists, to select and induct into the armed forces of the United States for training and service in the manner provided in this title such number of persons as may be required to provide and maintain the personnel strengths (other than one-year enlistee personnel strengths) of the respective armed forces authorized by section 2 of this title.

Ante, p. 605.

Aliens.

Selection and induction.

Ante, p. 605.

Fitness.

No person shall be inducted for training and service under this title unless and until he is acceptable to the armed forces for such training and service and his physical and mental fitness for such training and service has been satisfactorily determined under standards prescribed by the Secretary of Defense.

Provision for shelter, etc.

No persons shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations, for such persons, as may be determined by the Secretary of Defense to be essential to public and personal health.

Assignment.

The persons inducted into the armed forces for training and service under this title shall be assigned to stations or units of such forces. Persons inducted into the land forces of the United States pursuant to this title shall be deemed to be members of the Army of the United States; persons inducted into the naval forces of the United States pursuant to this title shall be deemed to be members of the United States Navy or the United States Marine Corps, as appropriate; and persons inducted into the air forces of the United States pursuant to this title shall be deemed to be members of the Air Force of the United States.

No person, without his consent, shall be inducted for training and service under this title, except as otherwise provided herein, after he has attained the twenty-sixth anniversary of the day of his birth.

Period of service.

(b) Each person inducted under the provisions of subsection (a) shall serve in the armed forces for a period of twenty-one consecutive months, unless sooner discharged in accordance with standards and procedures prescribed by the Secretary of Defense.

Enlistment in Regular Army.

(c) (1) Under the provisions of applicable laws and regulations any person between the ages of nineteen and twenty-six shall be offered an opportunity to enlist in the Regular Army for a period of service equal to that prescribed in subsection (b) of this section.

Reserve components.
Application for active service.

(2) Any enlisted member of any reserve component of the Armed Forces may, during the effective period of this Act, apply for a period of service equal to that prescribed in subsection (b) of this section and his application shall be accepted: *Provided*, That his services can be effectively utilized and that his physical and mental fitness for such service meet the standards prescribed by the head of department concerned: *And provided further*, That active service performed pursuant to this section shall not prejudice his status as such member of such reserve component.

(3) The passing requirement for the General Classification Test shall be fixed at seventy points.

Transfer to reserve component.
Post, p. 608.

(d) (1) Each person who hereafter is inducted, enlisted, or appointed (except a person enlisted under subsection (g) of this section) and serves for a period of less than three years in one of the armed forces and meets the qualifications for enlistment or appointment in a reserve component of the armed force in which he serves, shall be transferred to a reserve component of such armed force, and until the expiration of a period of five years after such transfer, or until he is discharged from such reserve component, whichever occurs first, shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law for such reserve component: *Provided*, That any such person who completes at least twenty-one months of service in the armed forces and who thereafter serves satisfactorily (1) on active duty in the armed forces under a voluntary extension for a period of at least one year, which extension is hereby authorized, or (2) in an organized unit of any reserve component of any of the armed forces for a period of at least thirty-six consecutive months, shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the armed forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

Relief from certain further liability.

Transfer of certain enlistees to reserve components.
Post, p. 608.

(2) Each person who hereafter is enlisted under the provisions of subsection (g) of this section and who meets the qualifications for enlistment or appointment in a reserve component of the armed forces shall, upon discharge from such enlistment under honorable conditions, be transferred to a reserve component of the armed forces of the United States and shall serve therein for a period of six years or until sooner discharged. Each such person shall, so long as he is a member of such reserve component, be liable to be ordered to active duty, but except in time of war or national emergency declared by the Congress no such person shall be ordered to active duty, without his consent and except as hereinafter provided, for more than one month in any year. In case the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force determines that enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which he served is available to, and can without undue hardship be filled by, any such person, it shall be the duty of such person to enlist, enroll, or accept appointment in, or accept assignment to, such organized unit or officers' training program and to serve satisfactorily therein for a period of four years. Any such person who fails or refuses to perform such duty may be ordered to active duty, without his consent, for an additional period of not more than twelve consecutive months. Any such person who enlists or accepts appointment in any such organized unit and serves satisfactorily therein for a period of four years shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the armed forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces. The Secretary of Defense is authorized to prescribe regulations governing the transfer of such persons within and between reserve components of the armed forces and determining, for the purpose of the requirements of the foregoing provisions of

Call to active duty.

Appointment, etc., in organized reserves or officers' training program.

Refusal to perform duty.

Relief from certain further liability.

Transfers within and between reserve components.

this paragraph, the credit to be allowed any person so transferring for his previous service in one or more reserve components.

Pay, allowances, pensions, etc.

(e) With respect to the persons inducted for training and service under this title there shall be paid, allowed, and extended the same pay, allowances, pensions, disability and death compensation, and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the armed forces to which they are assigned. Section 3 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), is hereby amended by deleting therefrom the following: "Act of March 7, 1942 (56 Stat. 143–148, ch. 166), as amended". The Act of March 7, 1942 (56 Stat. 143–148), as amended, is hereby made applicable to persons inducted into the armed forces pursuant to this title.

61 Stat. 453.

50 U. S. C. app. §§ 1001–1017; Supp. I, §§ 1001–1017.

Compensation from private firms, etc.

(f) Nothing contained in this or any other Act shall be construed as forbidding the payment of compensation by any person, firm, or corporation to persons inducted into the armed forces of the United States for training and service under this title, or to members of reserve components of such forces now or hereafter on any type of active duty, who, prior to their induction or order to active duty, were receiving compensation from such person, firm, or corporation.

One-year enlistments.

Ante, p. 605.

(g) Subject to the authorized one-year enlistee active duty personnel strengths established by section 2 of this title for the respective armed forces, the Secretaries of the Army, the Navy, and the Air Force are authorized and directed to accept enlistments for periods of one year in the Army of the United States, the United States Navy or the United States Marine Corps, and the Air Force of the United States, respectively, from among qualified male persons between the ages of eighteen and nineteen.

Place of service, restriction.

(h) No person who is enlisted in the Army of the United States under the provisions of subsection (g) shall be permanently assigned to duty at any place outside of the continental limits of the United States; and no person who is enlisted under the provisions of such subsection in the United States Navy, the United States Marine Corps, or the Air Force of the United States shall be assigned to duty at any naval or air force installation which is located on land outside of the continental limits of the United States.

SELECTION

Ante, p. 605.

SEC. 5. (a) The selection of persons for training and service under section 4 shall be made in an impartial manner, under such rules and regulations as the President may prescribe, from the persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted: *Provided*, That in the selection of persons for training and service under this title, and in the interpretation and execution of the provisions of this title, there shall be no discrimination against any person on account of race or color: *Provided further*, That in the classification of registrants within the jurisdiction of any local board, the registrants of any particular registration may be classified, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after the registrants of any prior registration or registrations; and in the selection for induction of persons within the jurisdiction of any local board and within any particular classification, persons who were registered at any particular registration may be selected, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after persons who were registered at any prior registration or registrations.

Nondiscrimination.

Classification of registrants.

Basis for determination of quotas.

(b) Quotas of men to be inducted for training and service under this title shall be determined for each State, Territory, possession, and

the District of Columbia, and for subdivisions thereof, on the basis of the actual number of men in the several States, Territories, possessions, and the District of Columbia, and the subdivisions thereof, who are liable for such training and service but who are not deferred after classification, except that credits shall be given in fixing such quotas for residents of such subdivisions who are in the armed forces of the United States on the date fixed for determining such quotas. After such quotas are fixed, credits shall be given in filling such quotas for residents of such subdivisions who subsequently become members of such forces. Until the actual numbers necessary for determining the quotas are known, the quotas may be based on estimates, and subsequent adjustments therein shall be made when such actual numbers are known. All computations under this subsection shall be made in accordance with such rules and regulations as the President may prescribe.

Credits.

Computations.

DEFERMENT AND EXEMPTIONS

SEC. 6. (a) Commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service; cadets, United States Military Academy; midshipmen, United States Navy; cadets, United States Coast Guard Academy; members of the reserve components of the armed forces, the Coast Guard, and the Public Health Service, while on active duty; and foreign diplomatic representatives, technical attachés of foreign embassies and legations, consuls general, consuls, vice consuls, and other consular agents of foreign countries who are not citizens of the United States, and members of their families, and persons in other categories to be specified by the President, residing in the United States, and who have not declared their intention to become citizens of the United States, shall not be required to be registered under section 3 and shall be relieved from liability for training and service under section 4 (b).

Ante, pp. 605, 606.

(b) (1) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of twelve months or more, or between December 7, 1941, and September 2, 1945, for a period in excess of ninety days, in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title.

Exemption of certain ex-servicemen.
Twelve months of active duty.

(2) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of ninety days or more but less than twelve months in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title, if—

Ninety days of active duty.

(A) the local board determines that he is regularly enlisted or commissioned in any organized unit of a reserve component of the armed force (or the Coast Guard) in which he served, provided such unit is reasonably accessible to such person without unduly interrupting his normal pursuits and activities (including attendance at a college or university in which he is regularly enrolled), or in a reserve component (other than in an organized unit) of such armed force or the Coast Guard in any case in which enlist-

ment or commission in an organized unit of a reserve component of such armed force or the Coast Guard is not available to him; or

(B) the local board determines that enlistment or commission in a reserve component of such armed force or the Coast Guard is not available to him or that he has voluntarily enlisted or accepted appointment in an organized unit of a reserve component of an armed force other than the armed force in which he served or in the Coast Guard.

Nothing in this paragraph shall be deemed to be applicable to any person to whom paragraph (1) of this subsection is applicable.

Three years of active duty.

(3) No person who after the date of enactment of this title is honorably discharged upon the completion of a period of three years or more of active duty in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title.

Completion of enlistment.
Ante, pp. 606, 608.

(4) No person who is honorably discharged upon the completion of an enlistment pursuant to section 4 (c) or section 4 (g) shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title.

Computation of active duty.

(5) For the purposes of computation of the periods of active duty referred to in paragraphs (1), (2), or (3) of this subsection, no credit shall be allowed for—

(A) periods of active duty training performed as a member of a reserve component pursuant to an order or call to active duty solely for training purposes;

(B) periods of active duty in which the service consisted solely of training under the Army specialized training program, the Army Air Force college training program, or any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

(C) periods of active duty as a cadet at the United States Military Academy or United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of such academies; or

(D) periods of active duty in any of the armed forces while being processed for entry into or separation from any educational program or institution referred to in paragraphs (B) or (C).

Exemption of members of National Guard and reserve units.

(c) (1) Persons who, on the effective date of this title, were members of organized units of the federally recognized National Guard, the federally recognized Air National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve, or the Public Health Service Reserve, shall, so long as they continue to be such members and satisfactorily participate in scheduled drills and training periods as prescribed by the Secretary of Defense, be exempt from training and service by induction under the provisions of this title, but shall not be exempt from registration unless on active duty.

Deferment of certain enlistees, etc., of organized units.

(2) (A) In any case in which the Governor of any State determines and issues a proclamation to the effect that the authorized strength of any organized unit of the National Guard of his State cannot be maintained by the enlistment or appointment of persons referred to in subsection 6 (b) (2) or persons who are not liable for training and service under this title, any person who prior to attaining the age of eighteen years and six months enlists or accepts appointment in any such organized unit shall be deferred from training and service under this

Ante, p. 609.

title so long as he continues to serve satisfactorily as a member of such organized unit.

(B) Except as provided in subsection (b) or clause (A) of this paragraph, no person who shall become a member of a reserve component after the effective date of this title shall thereby be exempt from registration or training and service by induction under the provisions of this title.

Deferment of certain ROTC members, etc.

(d) (1) Any person who, on the effective date of this title, is enrolled in the advanced course, senior division, Reserve Officers' Training Corps or the Air Reserve Officers' Training Corps, or is a member of the Naval Reserve Officers' Training Corps and has entered upon the junior or senior year, or is a midshipman, United States Naval Reserve, shall be deferred from induction for training and service under this title until the completion or termination of the course of instruction and so long as he continues in a regular or reserve status upon being commissioned, but shall not be exempt from registration.

Agreement to accept commission.

(2) Within such number as may be prescribed by the Secretary of Defense any person who, (A) on or after the effective date of this title, is selected for enrollment or continuance in the senior division, Reserve Officers' Training Corps, or the Air Reserve Officers' Training Corps, or the Naval Reserve Officers' Training Corps, or who, on or after the effective date of this title, is appointed a midshipman, United States Naval Reserve, and (B) agrees, in writing, to accept a commission if tendered and to serve, subject to call by the Secretary of the Army, the Secretary of the Air Force, or the Secretary of the Navy, respectively, not less than two years on active duty after receipt of a commission, shall be deferred from induction for training and service under this title until after completion or termination of the course of instruction and so long as he continues in a regular or reserve status upon being commissioned, but shall not be exempt from registration.

Aviation cadet applicants.

(e) Fully qualified and accepted aviation cadet applicants of the Army, Navy, or Air Force who have signed an agreement of service shall, in such numbers as may be designated by the Secretary of Defense, be deferred, during the period covered by the agreement but not to exceed four months, from induction for training and service under this title but shall not be exempt from registration.

Deferment of designated public officers.

(f) The Vice President of the United States; the governors of the several States, Territories, and possessions, and all other officials chosen by the voters of the entire State, Territory, or possession; members of the legislative bodies of the United States and of the several States, Territories, and possessions; judges of the courts of record of the United States and of the several States, Territories, possessions, and the District of Columbia shall, while holding such offices, be deferred from training and service under this title in the armed forces of the United States.

Deferment of ministers of religion, etc.
Post, p. 624.

(g) Regular or duly ordained ministers of religion, as defined in this title, and students preparing for the ministry under the direction of recognized churches or religious organizations, who are satisfactorily pursuing full-time courses of instruction in recognized theological or divinity schools, or who are satisfactorily pursuing full-time courses of instruction leading to their entrance into recognized theological or divinity schools in which they have been preenrolled, shall be exempt from training and service (but not from registration) under this title.

Deferments authorized by President.
Occupational deferments.

(h) The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this title in the armed forces of the United States of any or all categories of persons whose employment in industry, agriculture, or other occupations or employment, or whose continued service

in an office (other than an office described in subsection (f)) under the United States or any State, Territory, or possession, or the District of Columbia, or whose activity in study, research, or medical, scientific, or other endeavors is found to be necessary to the maintenance of the national health, safety, or interest: *Provided*, That no person within any such category shall be deferred except upon the basis of his individual status. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this title in the armed forces of the United States (1) of any or all categories of persons in a status with respect to persons dependent upon them for support which renders their deferment advisable, and (2) of any or all categories of those persons found to be physically, mentally, or morally deficient or defective. For the purpose of determining whether or not the deferment of any person is advisable, because of his status with respect to persons dependent upon him for support, any payments of allowances which are payable by the United States to the dependents of persons serving in the armed forces of the United States shall be taken into consideration, but the fact that such payments of allowances are payable shall not be deemed conclusively to remove the grounds for deferment when the dependency is based upon financial considerations and shall not be deemed to remove the ground for deferment when the dependency is based upon other than financial considerations and cannot be eliminated by financial assistance to the dependents. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this title in the armed forces of the United States of any or all categories of persons who have wives or children, or wives and children, with whom they maintain a bona fide family relationship in their homes. No deferment from such training and service shall be made in the case of any individual except upon the basis of the status of such individual. There shall be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those persons who have been classified by such local board.

Persons with dependents.

Deficient or defective persons.

Deferment of certain high school students.

(i) (1) Any person who, while satisfactorily pursuing a full-time course of instruction at a high school or similar institution of learning, is ordered to report for induction under this title prior to his graduation from such school or institution, shall, upon the facts being presented to the local board, have his induction under this title postponed (A) until the time of his graduation therefrom, or (B) until he attains the twentieth anniversary of his birth, or (C) until he ceases satisfactorily to pursue such course of instruction, whichever is the earliest. The induction of any such person shall not be postponed under this paragraph beyond the date so determined.

Deferment of certain college or university students.

(2) Any person who, while satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning, is ordered to report for induction under this title, shall, upon the facts being presented to the local board, have his induction under this title postponed (A) until the end of such academic year or (B) until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier. Nothing in this paragraph shall be deemed to preclude the President from providing, by regulations prescribed under subsection (h) of this section, for the deferment from training and service of any category or categories of students for such periods of time as he may deem appropriate.

Conscientious objectors.

(j) Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form.

Religious training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code. Any person claiming exemption from combatant training and service because of such conscientious objections whose claim is sustained by the local board shall, if he is inducted into the armed forces under this title, be assigned to noncombatant service as defined by the President, or shall, if he is found to be conscientiously opposed to participation in such noncombatant service, be deferred. Any person claiming exemption from combatant training and service because of such conscientious objections shall, if such claim is not sustained by the local board, be entitled to an appeal to the appropriate appeal board. Upon the filing of such appeal, the appeal board shall refer any such claim to the Department of Justice for inquiry and hearing. The Department of Justice, after appropriate inquiry, shall hold a hearing with respect to the character and good faith of the objections of the person concerned, and such person shall be notified of the time and place of such hearing. The Department of Justice shall, after such hearing, if the objections are found to be sustained, recommend to the appeal board that (1) if the objector is inducted into the armed forces under this title, he shall be assigned to noncombatant service as defined by the President, or (2) if the objector is found to be conscientiously opposed to participation in such noncombatant service, he shall be deferred. If after such hearing the Department of Justice finds that his objections are not sustained, it shall recommend to the appeal board that such objections be not sustained. The appeal board shall, in making its decision, give consideration to, but shall not be bound to follow, the recommendation of the Department of Justice together with the record on appeal from the local board. Each person whose claim for exemption from combatant training and service because of conscientious objections is sustained shall be listed by the local board on a register of conscientious objectors.

Assignment.

Appeal.

Hearing.

Recommendations.

Register of conscientious objectors.

(k) No exception from registration, or exemption or deferment from training and service, under this title, shall continue after the cause therefor ceases to exist.

(l) Notwithstanding any other provisions of law, no person between the ages of eighteen and twenty-one shall be discharged from service in the armed forces of the United States while this title is in effect because such person entered such service without the consent of his parent or guardian.

Minority discharges.

(m) No person shall be relieved from training and service under this title by reason of conviction of a criminal offense, except where the offense of which he has been convicted may be punished by death, or by imprisonment for a term exceeding one year.

Conviction of a criminal offense.

(n) In the case of any registrant whose principal place of employment is located outside the appeal board area in which the local board having jurisdiction over the registrant is located, any occupational deferment made under subsection (h) of this section may, within five days after such deferment is made, be submitted for review and decision to the appeal board having jurisdiction over the area in which is located the principal place of employment of the registrant. Such decision of the appeal board shall be final unless modified or changed by the President, and such decision shall be made public.

Review of certain occupational deferments.

(o) Where one or more sons or daughters of a family were killed in action or died in line of duty while serving in the armed forces of the United States, or subsequently died as a result of injuries received or disease incurred during such service, the sole surviving son of such family shall not be inducted for service under the terms of this title.

Sole surviving son, exemption.

ACTIVE DUTY FOR CERTAIN MEMBERS OF RESERVE COMPONENTS

SEC. 7. Notwithstanding any other provision of law or of this title, the President is hereby authorized to order into the active service of the armed forces of the United States, without their consent and for a period not to exceed twenty-one consecutive months each, members (other than those exempted or deferred from training and service under the provisions of section 6 (c)) of any or all reserve components of the armed forces of the United States who shall have had less than ninety days' continuous active service in the armed forces of the United States, exclusive of periods of active training duty. No member of the National Guard of any State, Territory, or the District of Columbia shall be ordered into the active service of the armed forces of the United States under this section unless the governor of such State or Territory, or the Commanding General of the District of Columbia National Guard in the case of a member of the District of Columbia National Guard, has consented to the ordering into active service of the armed forces of the United States of members of the National Guard of his State, Territory, or District, as the case may be, in accordance with such program or programs as may have been mutually agreed upon. Nothing in this section shall be construed to repeal or abridge any existing law which authorizes the ordering of members of reserve components of the armed forces into active service.

Ante, p. 610.

BOUNTIES; SUBSTITUTES; PURCHASES OF RELEASE

SEC. 8. No bounty shall be paid to induce any person to enlist in or be inducted into the armed forces of the United States: *Provided*, That the clothing or enlistment allowances authorized by law shall not be regarded as bounties within the meaning of this section. No person liable for training and service in such forces shall be permitted or allowed to furnish a substitute for such training and service; no substitute as such shall be received, enlisted, enrolled, or inducted into the armed forces of the United States; and no person liable for training and service in such forces under section 4 shall be permitted to escape such training and service or be discharged therefrom prior to the expiration of his period of such training and service by the payment of money or any other valuable thing whatsoever as consideration for his release from such training and service or liability therefor.

Ante, p. 605.

SEPARATION FROM SERVICE; REEMPLOYMENT RIGHTS

Certificate of service.

SEC. 9. (a) Any person inducted into the armed forces under this title for training and service, who, in the judgment of those in authority over him, satisfactorily completes his period of training and service under section 4 (b) shall be entitled to a certificate to that effect upon the completion of such period of training and service, which shall include a record of any special proficiency or merit attained. In addition, each such person who is inducted into the armed forces under this title for training and service shall be given a physical examination at the beginning of such training and service, and upon the completion of his period of training and service under this title, each such person shall be given another physical examination and, upon his written request, shall be given a statement of physical condition by the Secretary concerned: *Provided*, That such statement shall not contain any reference to mental or other conditions which in the judgment of the Secretary concerned would prove injurious to the physical or mental health of the person to whom it pertains.

Ante, p. 606.

Physical examination.

Reemployment rights.

(b) In the case of any such person who, in order to perform such training and service, has left or leaves a position (other than a temporary position) in the employ of any employer and who (1) receives such certificate, and (2) makes application for reemployment within

ninety days after he is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

Government or D. C. employees.

(A) if such position was in the employ of the United States Government, its Territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case;

Private employees.

(B) if such position was in the employ of a private employer, such person shall—

(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be restored by such employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case,

unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so;

State, etc., employees.

(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

Restoration without loss of seniority, etc.

(c) (1) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) shall be considered as having been on furlough or leave of absence during his period of training and service in the armed forces, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration.

(2) It is hereby declared to be the sense of the Congress that any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) should be so restored in

such manner as to give him such status in his employment as he would have enjoyed if he had continued in such employment continuously from the time of his entering the armed forces until the time of his restoration to such employment.

Failure of employer to comply.

(d) In case any private employer fails or refuses to comply with the provisions of subsection (b) or subsection (c) (1), the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action: *Provided*, That any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States district attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States district attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions: *Provided*, That no fees or court costs shall be taxed against any person who may apply for such benefits: *Provided further*, That only the employer shall be deemed a necessary party respondent to any such action.

Representation by U. S. district attorney.

Court fees, etc.

Reemployment procedures in Federal Government.

(e) (1) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, by any agency in the executive branch of the Government or by any Territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored by such agency or the successor to its functions, or by such Territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed immediately before entering the armed forces by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

(A) such agency is no longer in existence and its functions have not been transferred to any other agency; or

(B) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

Placement by Civil Service Commission.

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be restored under the last sentence of paragraph (2) of this subsection. The agencies in the

executive branch of the Government and the government of the District of Columbia shall comply with such rules and regulations and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by him through other employment, unemployment compensation, or readjustment allowances: *Provided*, That any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this paragraph, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government.

"Agency in the executive branch of the Government."

(2) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, in the legislative branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces. In any case in which it is not possible for any such person to be restored to a position in the legislative branch of the Government and he is otherwise eligible to acquire a status for transfer to a position in the classified (competitive) civil service in accordance with section 2 (b) of the Act of November 26, 1940 (54 Stat. 1212), the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which he is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position such person shall be restored to such position by the agency in which such position exists.

Restoration to legislative branch.

5 U. S. C. § 631b (b).

(3) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the armed forces, in the judicial branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the armed forces.

Restoration to judicial branch.

(f) In any case in which two or more persons who are entitled to be restored to a position under the provisions of this section or of any other law relating to similar reemployment benefits left the same position in order to enter the armed forces, the person who left such position first shall have the prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be restored.

Two or more persons in same position.

(g) (1) Any person who, subsequent to the date of enactment of this title and while it is in effect, enlists in the armed forces of the United States (other than in a reserve component) or the Coast Guard (other than in a reserve component) for not more than three years shall, if such enlistment is his first enlistment in the armed forces or the Coast Guard subsequent to the date of enactment of this title, be entitled, upon the expiration of his enlistment (including any exten-

Rights of enlistees.

sion thereof by law but not including any voluntary extension thereof) or upon his discharge under honorable conditions prior to the expiration thereof, to all the reemployment rights and other benefits provided for by this section in the case of inductees.

Rights of persons called to active duty.

(2) Any person who, subsequent to the effective date of this title and while it is in effect, enters upon active duty in the armed forces of the United States, the Coast Guard, or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of inductees, if he is relieved from active duty not later than three years after the date of entering upon active duty or as soon after the expiration of such three years as he is able to obtain orders relieving him from active duty.

Aid in replacement.

(h) The Secretary of Labor, through the Bureau of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions of persons who have satisfactorily completed any period of active duty in the armed forces of the United States, the Coast Guard, or the Public Health Service. In rendering such aid, the Secretary shall use the then existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

Right to vote, etc.

(i) Any person inducted into the armed forces for training and service under this title shall, during the period of such service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside such State at the time of such election, if under the laws of such State he is otherwise entitled so to vote in such election; but nothing in this subsection shall be construed to require granting to any such person a leave of absence or furlough for longer than one day in order to permit him to vote in person in any such election.

Poll tax.

No person inducted into, or enlisted in, the armed forces for training and service under this title shall, during the period of such service, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, be required to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

Report of separation from service.

(j) The Secretaries of Army, Navy, or Air Force shall furnish to the Selective Service System hereafter established a report of separation for each person separated from active duty.

THE SELECTIVE SERVICE SYSTEM; CONSTRUCTION; CIVILIAN EMPLOYEES

SEC. 10. (a) (1) There is hereby established in the executive branch of the Government an agency to be known as the Selective Service System, and a Director of Selective Service who shall be the head thereof.

Headquarters.

(2) The Selective Service System shall include a national headquarters, at least one State headquarters in each State, Territory, and possession of the United States, and in the District of Columbia, and the local boards, appeal boards, and other agencies provided for in subsection (b) (3) of this section.

Director.

(3) The Director shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,500 per year.

Transfer of functions.
61 Stat. 31.
50 U. S. C., Supp. I, app. §§ 321-329.

(4) The functions of the Office of Selective Service Records (established by the Act of March 31, 1947) and of the Director of the Office of Selective Service Records are hereby transferred to the Selective Service System and the Director of Selective Service, respectively. The personnel, property, records, and unexpended balances (available

or to be made available) of appropriations, allocations, and other funds of the Office of Selective Service Records are hereby transferred to the Selective Service System. The Office of Selective Service Records shall cease to exist upon the taking of effect of the provisions of this title: *Provided*, That, effective upon the termination of this title and notwithstanding such termination in other respects, (A) the said Office of Selective Service Records is hereby reestablished on the same basis and with the same functions as obtained prior to the effective date of this title, (B) said reestablished Office shall be responsible for liquidating any other outstanding affairs of the Selective Service System, and (C) the personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Selective Service System shall be transferred to such reestablished Office of Selective Service Records.

Reestablishment of Office of Selective Service Records.

(b) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this title;

Rules, etc.

(2) to appoint, upon recommendation of the respective governor or comparable executive official, a State director of the Selective Service System for each headquarters in each State, Territory, and possession of the United States and for the District of Columbia, who shall represent the governor and be in immediate charge of the State headquarters of the Selective Service System; to employ such number of civilians, and to order to active duty with their consent and to assign to the Selective Service System such officers of the selective-service section of the State headquarters and headquarters detachments and such other officers of the federally recognized National Guard of the United States or other armed forces personnel (including personnel of the reserve components thereof), as may be necessary for the administration of the national and of the several State headquarters of the Selective Service System;

State director.

Employment of civilians, etc.

(3) to create and establish within the Selective Service System civilian local boards, civilian appeal boards, and such other civilian agencies, including agencies of appeal, as may be necessary to carry out its functions with respect to the registration, examination, classification, selection, assignment, delivery for induction, and maintenance of records of persons registered under this title, together with such other duties as may be assigned under this title. He shall create and establish one or more local boards in each county or political subdivision corresponding thereto of each State, Territory, and possession of the United States, and in the District of Columbia. Each local board shall consist of three or more members to be appointed by the President from recommendations made by the respective governors or comparable executive officials: *Provided*, That an intercounty local board consisting of at least one member from each component county or corresponding subdivision may be established for an area not exceeding five counties or political subdivisions corresponding thereto within a State or comparable jurisdiction when the President determines, after considering the public interest involved and the recommendation of the governor or comparable executive official or officials, that the establishment of such local board area will result in a more efficient and economical operation. Any such intercounty local board shall have within its area the same power and jurisdiction as a local board has in its area. No member of any local board shall be a member of the armed forces of the United States, but each member of any local board shall be a civilian who is a citizen of the United States residing in the county or political subdivision corresponding thereto in which

Civilian local boards and agencies.

Membership.

Intercounty local board.

Membership restrictions.

such local board has jurisdiction, and each intercounty local board shall have at least one member from each county or political subdivision corresponding thereto included within the intercounty local board area. Such local boards, under rules and regulations prescribed by the President, shall have the power within their respective jurisdictions to hear and determine, subject to the right of appeal to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this title, of all individuals within the jurisdiction of such local boards. The decisions of such local board shall be final, except where an appeal is authorized and is taken in accordance with such rules and regulations as the President may prescribe. There shall be at least one appeal board for each State. Appeal boards within the Selective Service System shall be composed of civilians who are citizens of the United States and who are not members of the armed forces. The decision of such appeal boards shall be final in cases before them on appeal unless modified or changed by the President. The President, upon appeal or upon his own motion, shall have power to determine all claims or questions with respect to inclusion for, or exemption or deferment from training and service under this title, and the determination of the President shall be final. No person who is a civilian officer, member, agent, or employee of the Office of Selective Service Records, or the Selective Service System, or of any local board or appeal board or other agency of such Office or System, shall be excepted from registration or deferred or exempted from training and service, as provided for in this title, by reason of his status as such civilian officer, member, agent, or employee;

Powers of local board.

Appeal board.

Nonexemption from registration, etc.

(4) to appoint, and to fix, in accordance with the Classification Act of 1923, as amended, the compensation of, such officers, agents, and employees as he may deem necessary to carry out the provisions of this title: *Provided*, That the compensation of employees of local boards and appeal boards may be fixed without regard to the Classification Act of 1923, as amended: *Provided further*, That any officer on the active or retired list of the armed forces, or any reserve component thereof with his consent, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this title (except to offices or positions on local boards or appeal boards established or created pursuant to section 10 (b) (3)) may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the armed forces or reserve component thereof, or as such officer or employee in any department or agency of the United States;

Appointment of personnel.
42 Stat. 1488.
5 U. S. C. §§ 661–674.

42 Stat. 1488.
5 U. S. C. §§ 661–674.
Assignment not to prejudice status, etc.

Ante, p. 619.

(5) to utilize the services of any or all departments and any and all officers or agents of the United States, and to accept the services of all officers and agents of the several States, Territories, and possessions, and subdivisions thereof, and the District of Columbia, and of private welfare organizations, in the execution of this title;

Services of other agencies.

(6) to purchase such printing, binding, and blank-book work from public, commercial, or private printing establishments or binderies upon orders placed by the Public Printer or upon waivers issued in accordance with section 12 of the Printing Act approved January 12, 1895, as amended, and to obtain by purchase, loan, or gift such equipment and supplies for the Selective Service System, as he may deem necessary to carry out the provisions of this title, with or without advertising or formal contract;

Printing, binding, etc.

28 Stat. 602.
44 U. S. C. § 14.

(7) to prescribe eligibility, rules, and regulations governing the parole for service in the armed forces, or for any other special service established pursuant to this title, of any person convicted of a violation of any of the provisions of this title; Parole.

(8) subject to the availability of funds appropriated for such purpose, to procure such space as he may deem necessary to carry out the provisions of this title and Public Law 26, Eightieth Congress, approved March 31, 1947, by lease pursuant to existing statutes, except that the provisions of the Act of June 30, 1932 (47 Stat. 412), as amended by section 15 of the Act of March 3, 1933 (47 Stat. 1517; 40 U. S. C. 278a), shall not apply to any lease entered into under the authority of this title; Procurement of space. 61 Stat. 31. 50 U. S. C., Supp. I, §§ 321–329.

(9) subject to the availability of funds appropriated for such purposes, to determine the location of such additional temporary installations as he may deem essential; to utilize and enlarge such existing installations; to construct, install, and equip, and to complete the construction, installation, and equipment of such buildings, structures, utilities, and appurtenances (including the necessary grading and removal, repair or remodeling of existing structures and installations), as may be necessary to carry out the provisions of this title; and, in order to accomplish the purpose of this title, to acquire lands, and rights pertaining thereto, or other interests therein, for temporary use thereof, by donation or lease, and to prosecute construction thereon prior to the approval of the title by the Attorney General as required by section 355, Revised Statutes, as amended; Construction. 33 U. S. C. § 733.

(10) subject to the availability of funds appropriated for such purposes, to utilize, in order to provide and furnish such services as may be deemed necessary or expedient to accomplish the purposes of this title, such personnel of the armed forces and of Reserve components thereof with their consent, and such civilian personnel, as may be necessary. For the purposes of this title, the provisions of section 14 of the Federal Employees' Pay Act of 1946 (Public Law 390, Seventy-ninth Congress) with respect to the maximum limitations as to the number of civilian employees shall not be applicable to the Department of the Army, the Department of the Navy, or the Department of the Air Force. Civilian personnel. 60 Stat. 219. 5 U. S. C. § 947; Supp. I, § 947 note.

(c) The President is authorized to delegate any authority vested in him under this title, and to provide for the subdelegation of any such authority. Delegation of authority.

(d) In the administration of this title, gifts of supplies, equipment, and voluntary services may be accepted. Voluntary services.

(e) The Chief of Finance, United States Army, is authorized to act as the fiscal, disbursing, and accounting agent of the Director in carrying out the provisions of this title. Fiscal, etc., agent.

(f) The Director is authorized to make final settlement of individual claims, for amounts not exceeding $50, for travel and other expenses of uncompensated personnel of the Office of Selective Service Records, or the Selective Service System, incurred while in the performance of official duties, without regard to other provisions of law governing the travel of civilian employees of the Federal Government. Settlement of claims.

EMERGENCY MEDICAL CARE

SEC. 11. Under such rules and regulations as may be prescribed by the President, funds available to carry out the provisions of this title shall also be available for the payment of actual and reasonable expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting

under orders issued under the provisions of this title, but such burial expenses shall not exceed $150 in any one case.

PENALTIES

SEC. 12. (a) Any member of the Selective Service System or any other person charged as herein provided with the duty of carrying out any of the provisions of this title, or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty, and any person charged with such duty, or having and exercising any authority under said title, rules, regulations, or directions who shall knowingly make, or be a party to the making, of any false, improper, or incorrect registration, classification, physical or mental examination, deferment, induction, enrollment, or muster, and any person who shall knowingly make, or be a party to the making of, any false statement or certificate regarding or bearing upon a classification or in support of any request for a particular classification, for service under the provisions of this title, or rules, regulations, or directions made pursuant thereto, or who otherwise evades or refuses registration or service in the armed forces or any of the requirements of this title, or who knowingly counsels, aids, or abets another to refuse or evade registration or service in the armed forces or any of the requirements of this title, or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect or refuse to perform any duty required of him under or in the execution of this title, or rules, regulations, or directions made pursuant to this title, or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law may be tried by court martial, and, on conviction, shall suffer such punishment as a court martial may direct. No person shall be tried by court martial in any case arising under this title unless such person has been actually inducted for the training and service prescribed under this title or unless he is subject to trial by court martial under laws in force prior to the enactment of this title. Precedence shall be given by courts to the trial of cases arising under this title, and such cases shall, upon request of the Attorney General, be advanced on the docket for immediate hearing.

Trial by court martial.

(b) Any person (1) who knowingly transfers or delivers to another, for the purpose of aiding or abetting the making of any false identification or representation, any registration certificate, alien's certificate of nonresidence, or any other certificate issued pursuant to or prescribed by the provisions of this title, or rules or regulations promulgated hereunder; or (2) who, with intent that it be used for any purpose of false identification or representation, has in his possession any such certificate not duly issued to him; or (3) who forges, alters, or in any manner changes any such certificate or any notation duly and validly inscribed thereon; or (4) who, with intent that it be used for any purpose of false identification or representation, photographs, prints, or in any manner makes or executes any engraving, photograph, print, or impression in the likeness of any such certificate, or any colorable imitation thereof; or (5) who has in his possession any certificate purporting to be a certificate issued pursuant to this title, or rules and regulations promulgated hereunder, which he knows to be falsely made, reproduced, forged, counterfeited, or altered; or (6) who knowingly violates or evades any of the provisions of this title or

False certification, etc.

rules and regulations promulgated pursuant thereto relating to the issuance, transfer, or possession of such certificate, shall, upon conviction, be fined not to exceed $10,000 or be imprisoned for not more than five years, or both. Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of any certificate not duly issued to him, such possession shall be deemed sufficient evidence to establish an intent to use such certificate for purposes of false identification or representation, unless the defendant explains such possession to the satisfaction of the jury.

NONAPPLICABILITY OF CERTAIN LAWS

SEC. 13. (a) Nothing in section 109 or 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203), in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99), in section 19 (e) of the Contract Settlement Act of 1944 (U. S. C., title 41, sec. 119 (e)), or in the second sentence of subsection (a) of section 9 of the Act of August 2, 1939 (53 Stat. 1148), entitled "An Act to prevent pernicious political activities", as amended, shall be deemed to apply to any person because of his appointment under authority of this title or the regulations made pursuant thereto, as an uncompensated official of the Selective Service System, or as an individual to conduct hearings on appeals of persons claiming exemption from combatant or noncombatant training because of conscientious objections.

Post, p. 863.

58 Stat. 668.
Post, p. 868.

18 U. S. C. § 61h (a).

(b) All functions performed under this title shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 of such Act.

5 U. S. C. §§ 1001-1011; Supp. I, § 1001.
Ante, p. 99.

(c) In computing the lump-sum payments made to Air Force reserve officers under the provisions of section 2 of the Act of June 16, 1936, as amended (U. S. C., title 10, sec. 300a), and to reserve officers of the Navy or to their beneficiaries under section 12 of the Act of August 4, 1942, as amended (U. S. C., title 34, sec. 850k), no credit shall be allowed for any period of active service performed from the effective date of this title to the date on which this title shall cease to be effective. Each such lump-sum payment shall be prorated for a fractional part of a year of active service in the case of any reserve officer subject to the provisions of either such section, if such reserve officer performs continuous active service for one or more years (inclusive of such service performed during the period in which this title is effective) and such active service includes a fractional part of a year immediately prior to the effective date of this title, or immediately following the date on which this title shall cease to be effective, or both.

49 Stat. 1524.
10 U. S. C., Supp. I, § 300a.
56 Stat. 738.
34 U. S. C., Supp. I, § 850k.

CIVIL RELIEF

SEC. 14. Notwithstanding the provisions of section 604 of the Act of October 17, 1940 (54 Stat. 1191), and the provisions of section 4 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, including specifically article IV thereof, shall be applicable to all persons in the armed forces of the United States, including all persons inducted into the armed forces pursuant to this title, the Coast Guard, or the Public Health Service, until such time as the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is repealed or otherwise terminated by subsequent Act of the Congress: *Provided*, That, with respect to persons inducted into the armed forces while this title is in effect, wherever under any section or provision of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, a proceeding, remedy, privilege, stay, limitation, accounting, or other transaction has been authorized or provided with respect to military service performed while such Act is in force, such section or provision shall

50 U. S. C. app. § 584; Supp. I, § 584 note.
61 Stat. 454.
54 Stat. 1178.
50 U. S. C. app. §§ 501, 510–590; Supp. I, § 515 *et seq.* notes.
54 Stat. 1183.
50 U. S. C. app. §§ 540–554.
Ante, p. 160.

be deemed to continue in full force and effect so long as may be necessary to the exercise or enjoyment of such proceeding, remedy, privilege, stay, limitation, accounting, or other transaction.

NOTICE OF TITLE; VOLUNTARY ENLISTMENTS

SEC. 15. (a) Every person shall be deemed to have notice of the requirements of this title upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3.

Ante, p. 605.

(b) It shall be the duty of every registrant to keep his local board informed as to his current address and changes in status as required by such rules and regulations as may be prescribed by the President.

Partial invalidity.

(c) If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of the title, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Ante, pp. 606, 608. Continuation of enlistments.

(d) Except as provided in section 4 (c) or section 4 (g), nothing contained in this title shall be construed to repeal, amend, or suspend the laws now in force authorizing voluntary enlistment or reenlistment in the armed forces of the United States, including the reserve components thereof, except that no person shall be accepted for enlistment after he has received orders to report for induction and except that, whenever the Congress or the President has declared that the national interest is imperiled, voluntary enlistment or reenlistment in such forces, and their reserve components, may be suspended by the President to such extent as he may deem necessary in the interest of national defense.

DEFINITIONS

SEC. 16. When used in this title—

"Between the ages of eighteen and twenty-six."

(a) The term "between the ages of eighteen and twenty-six" shall refer to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner.

"United States."

(b) The term "United States", when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

"Armed forces."

(c) The term "armed forces" shall be deemed to include the Army, the Navy, the Marine Corps, and the Air Force.

"District court of the United States."

(d) The term "district court of the United States" shall be deemed to include the courts of the United States for the Territories and possessions of the United States.

"Local board."

(e) The term "local board" shall be deemed to include an intercounty local board in the case of any registrant who is subject to the jurisdiction of an intercounty local board.

"Director."

(f) The term "Director" shall be deemed to mean the Director of the Selective Service System.

"Duly ordained minister of religion."

(g) (1) The term "duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial, ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies thereof in public worship, and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

"Regular minister of religion."

(2) The term "regular minister of religion" means one who as his customary vocation preaches and teaches the principles of religion of a

church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

"Regular or duly ordained minister of religion." Exclusions.

(3) The term "regular or duly ordained minister of religion" does not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect, or organization and does not include any person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect or organization, but who does not regularly, as a vocation, teach and preach the principles of religion and administer the ordinances of public worship as embodied in the creed or principles of his church, sect, or organization.

"Organized unit."

(h) The term "organized unit", when used with respect to a reserve component, shall be deemed to mean a unit in which the members thereof are required satisfactorily to participate in scheduled drills and training periods as prescribed by the Secretary of Defense.

"Reserve components of the armed forces."

(i) The term "reserve components of the armed forces" shall, unless the context otherwise requires, be deemed to include the federally recognized National Guard of the United States, the federally recognized Air National Guard of the United States, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, and the Marine Corps Reserve, and shall include, in addition to the foregoing, the Coast Guard Reserve and the Public Health Service Reserve when serving with the armed forces.

TERMINATION OF TITLE

Suspension of conflicting laws.

SEC. 17. (a) Except as provided in this title, all laws and parts of laws in conflict with the provisions of this title are hereby suspended to the extent of such conflict for the period in which this title shall be in force.

Ante, pp. 605–608, 614, 618, 621, 623.

(b) All of the provisions of this title, except the provisions of section 2, the second sentence of section 4 (a), section 4 (b), sections 4 (d), 4 (e), 4 (f), 9, 10 (a) (4), 10 (b) (10), 13 (c), 14, and 17 (b), shall become inoperative and cease to apply on the second anniversary of the date of enactment of this title or on such earlier date as may be specified in a joint resolution of the two Houses of Congress for that purpose, except as to offenses committed prior to such date.

Appropriation authorized. *Post*, p. 1035.

(c) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this title.

UTILIZATION OF INDUSTRY

SEC. 18. (a) Whenever the President after consultation with and receiving advice from the National Security Resources Board determines that it is in the interest of the national security for the Government to obtain prompt delivery of any articles or materials the procurement of which has been authorized by the Congress exclusively for the use of the armed forces of the United States, or for the use of the Atomic Energy Commission, he is authorized, through the head of any Government agency, to place with any person operating a plant, mine, or other facility capable of producing such articles or materials an order for such quantity of such articles or materials as the President deems appropriate. Any person with whom an order is placed pursuant to the provisions of this section shall be advised that such order is placed pursuant to the provisions of this section. Under any such program of national procurement, the President shall recognize the valid claim of American small business to participate in such contracts, in such manufactures, and in such distribution of

materials, and small business shall be granted a fair share of the orders placed, exclusively for the use of the armed forces or for other Federal agencies now or hereafter designated in this section. For the purposes of this section, a business enterprise shall be determined to be "small business" if (1) its position in the trade or industry of which it is a part is not dominant, (2) the number of its employees does not exceed 500, and (3) it is independently owned and operated.

Compliance with order.

(b) It shall be the duty of any person with whom an order is placed pursuant to the provisions of subsection (a), (1) to give such order such precedence with respect to all other orders (Government or private) theretofore or thereafter placed with such person as the President may prescribe, and (2) to fill such order within the period of time prescribed by the President or as soon thereafter as possible.

Failure to comply.

(c) In case any person with whom an order is placed pursuant to the provisions of subsection (a) refuses or fails—

(1) to give such order such precedence with respect to all other orders (Government or private) theretofore or thereafter placed with such person as the President may have prescribed;

(2) to fill such order within the period of time prescribed by the President or as soon thereafter as possible as determined by the President;

(3) to produce the kind or quality of articles or materials ordered; or

(4) to furnish the quantity, kind, and quality of articles or materials ordered at such price as shall be negotiated between such person and the Government agency concerned; or in the event of failure to negotiate a price, to furnish the quantity, kind, and quality of articles or materials ordered at such price as he may subsequently be determined to be entitled to receive under subsection (d);

the President is authorized to take immediate possession of any plant, mine, or other facility of such person and to operate it, through any Government agency, for the production of such articles or materials as may be required by the Government.

Fair and just compensation.

(d) Fair and just compensation shall be paid by the United States (1) for any articles or materials furnished pursuant to an order placed under subsection (a), or (2) as rental for any plant, mine, or other facility of which possession is taken under subsection (c).

Employment standards.

(e) Nothing contained in this section shall be deemed to render inapplicable to any plant, mine, or facility of which possession is taken pursuant to subsection (c) any State or Federal laws concerning the health, safety, security, or employment standards of employees.

Penalty.

(f) Any person, or any officer of any person as defined in this section, who willfully fails or refuses to carry out any duty imposed upon him by subsection (b) of this section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not more than three years, or by a fine of not more than $50,000, or by both such imprisonment and fine.

"Person."

(g) (1) As used in this section—

(A) The term "person" means any individual, firm, company, association, corporation, or other form of business organization.

"Government agency."

(B) The term "Government agency" means any department, agency, independent establishment, or corporation in the Executive branch of the United States Government.

Plants, mines, or other facilities.

(2) For the purposes of this section, a plant, mine, or other facility shall be deemed capable of producing any articles or materials if it is then producing or furnishing such articles or materials or if the President after consultation with and receiving advice from the National Security Resources Board determines that it can be readily converted to the production or furnishing of such articles or materials.

(h) (1) The President is empowered, through the Secretary of Defense, to require all producers of steel in the United States to make available, to individuals, firms, associations, companies, corporations, or organized manufacturing industries having orders for steel products or steel materials required by the armed forces, such percentages of the steel production of such producers, in equal proportion deemed necessary for the expeditious execution of orders for such products or materials. Compliance with such requirement shall be obligatory on all such producers of steel and such requirement shall take precedence over all orders and contracts theretofore placed with such producers. If any such producer of steel or the responsible head or heads thereof refuses to comply with such requirement, the President, through the Secretary of Defense, is authorized to take immediate possession of the plant or plants of such producer and, through the appropriate branch, bureau, or department of the armed forces, to insure compliance with such requirement. Any such producer of steel or the responsible head or heads thereof refusing to comply with such requirement shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for not more than three years and a fine not exceeding $50,000.

Availability of steel to manufacturers.

Compliance.

Failure to comply.

Penalty.

(2) The President shall report to the Congress on the final day of each six-month period following the date of enactment of this Act the percentage figure, or if such information is not available, the approximate percentage figure, of the total steel production in the United States required to be made available during such period for the execution of orders for steel products and steel materials required by the armed forces, if such percentage figure is in excess of 10 per centum.

Report to Congress.

SAVING PROVISION

SEC. 19. Nothing in this title shall be deemed to amend any provision of the National Security Act of 1947 (61 Stat. 495).

5 U. S. C., Supp. I, § 171 note.

EFFECTIVE DATE

SEC. 20. This title shall become effective immediately; except that unless the President, or the Congress by concurrent resolution, declares a national emergency after the date of enactment of this Act, no person shall be inducted or ordered into active service without his consent under this title within ninety days after the date of its enactment. The Secretary of the Army, for the Army and the Air Force, and the Secretary of the Navy, for the Navy and Marine Corps, are hereby authorized and directed to initiate and carry forward an intensified voluntary enlistment campaign in an effort to obtain the required personnel strengths.

TITLE II

SEC. 201. The Articles of War (41 Stat. 787 to 811, as amended) are hereby amended as follows:

Article 1 is amended to read as follows:

10 U. S. C. § 1472.

"(a) The word 'officer' shall be construed to refer to a commissioned officer.

"Officer."

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man or woman.

"Soldier."

"(c) The word 'company' shall be construed as including a troop, battery, or corresponding unit of the ground or air forces.

"Company."

"(d) The word 'battalion' shall be construed as including a squadron or corresponding unit of the ground or air forces.

"Battalion."

"(e) The word 'cadet' shall be construed to refer to a cadet of the United States Military Academy."

"Cadet."

41 Stat. 787. 10 U. S. C. § 1473 (a); Supp. I, § 1473 note.

SEC. 202. Article 2, subparagraph (a), is amended to read as follows:

"(a) All officers, warrant officers, and soldiers belonging to the Regular Army of the United States; all volunteers, from the dates of their muster or acceptance into the military service of the United States; and all other persons lawfully called, drafted, or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft, or order to obey the same;"

41 Stat. 788. 10 U. S. C. § 1475.

SEC. 203. Article 4 is amended to read as follows:

"ART. 4. WHO MAY SERVE ON COURTS-MARTIAL.—All officers in the military service of the United States, and officers of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any persons who may lawfully be brought before such courts for trial.

Warrant officers.

"All warrant officers in the active military service of the United States and warrant officers in the active military service of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on general and special courts martial for the trial of warrant officers and enlisted persons, and persons in this category, shall be detailed for such service when deemed proper by the appointing authority.

Enlisted persons.

"Enlisted persons in the active military service of the United States or in the active military service of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on general and special courts martial for the trial of enlisted persons when requested in writing by the accused at any time prior to the convening of the court. When so requested, no enlisted person shall, without his consent, be tried by a court the membership of which does not include enlisted persons to the number of at least one third of the total membership of the court.

Qualification, selection, etc.

"When appointing courts-martial the appointing authority shall detail as members thereof those officers of the command and when eligible those enlisted persons of the command who, in his opinion, are best qualified for the duty by reason of age, training, experience, and judicial temperament; and officers and enlisted persons having less than two years' service shall not, if it can be avoided without manifest injury to the service, be appointed as members of courts-martial in excess of minority membership thereof. No person shall be eligible to sit as a member of a general or special court-martial when he is the accuser or a witness for the prosecution."

41 Stat. 788. 10 U. S. C. § 1476.

SEC. 204. Article 5 is amended to read as follows:

"ART. 5. GENERAL COURTS-MARTIAL.—General courts-martial may consist of any number of members not less than five."

41 Stat. 788. 10 U. S. C. § 1477.

SEC. 205. Article 6 is amended to read as follows:

"ART. 6. SPECIAL COURTS-MARTIAL.—Special courts-martial may consist of any number of members not less than three."

41 Stat. 788. 10 U. S. C. § 1479.

SEC. 206. Article 8 is amended to read as follows:

"ART. 8. GENERAL COURTS-MARTIAL.—The President of the United States, the commanding officer of a Territorial department, the Superintendent of the Military Academy, the commanding officer of an Army group, an Army, an Army corps, a division, a separate brigade, or corresponding unit of the Ground or Air Forces, or any command to which a member of the Judge Advocate General's Department is assigned as staff judge advocate, as prescribed in article 47, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and may in any case be appointed by superior authority when by the latter deemed desirable.

Post, p. 634.

"The authority appointing a general court-martial shall detail as one of the members thereof a law member who shall be an officer of the Judge Advocate General's Department or an officer who is a member of the bar of a Federal court or of the highest court of a State of the United States and certified by the Judge Advocate General to be qualified for such detail: *Provided*, That no general court-martial shall receive evidence or vote upon its findings or sentence in the absence of the law member regularly detailed. The law member, in addition to his duties as a member, shall perform the duties prescribed in article 31 hereof and such other duties as the President may by regulations prescribe."

Detail of law member.

Additional duties.

Post, p. 631.

SEC. 207. Article 9 is amended to read as follows:

41 Stat. 788.
10 U. S. C. § 1480.

"ART. 9. SPECIAL COURTS-MARTIAL.—The commanding officer of a district, garrison, fort, camp, station, or other place where troops are on duty, and the commanding officer of an Army group, an Army, an Army corps, a division, brigade, regiment, detached battalion, or corresponding unit of Ground or Air Forces, and the commanding officer of any other detached command or group of detached units placed under a single commander for this purpose may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable."

SEC. 208. Article 11 is amended to read as follows:

41 Stat. 789.
10 U. S. C. § 1482.

"ART. 11. APPOINTMENT OF TRIAL JUDGE ADVOCATES AND COUNSEL.—For each general or special court-martial the authority appointing the court shall appoint a trial judge advocate and a defense counsel, and one or more assistant trial judge advocates and one or more assistant defense counsel when necessary: *Provided*, That the trial judge advocate and defense counsel of each general court-martial shall, if available, be members of the Judge Advocate General's Department or officers who are members of the bar of a Federal court or of the highest court of a State of the United States: *Provided further*, That in all cases in which the officer appointed as trial judge advocate shall be a member of the Judge Advocate General's Department, or an officer who is a member of the bar of a Federal court or of the highest court of a State, the officer appointed as defense counsel shall likewise be a member of the Judge Advocate General's Department or an officer who is a member of the bar of a Federal court or of the highest court of a State of the United States: *Provided further*, That when the accused is represented by counsel of his own selection and does not desire the presence of the regularly appointed defense counsel or assistant defense counsel, the latter may be excused by the president of the court: *Provided further*, That no person who has acted as member, trial judge advocate, assistant trial judge advocate or investigating officer in any case shall subsequently act in the same case as defense counsel or assistant defense counsel unless expressly requested by the accused: *Provided further*, That no person who has acted as member, defense counsel, assistant defense counsel, or investigating officer in any case shall subsequently act in the same case as a member of the prosecution: *Provided further*, That no person who has acted as member, trial judge advocate, assistant trial judge advocate, defense counsel, assistant defense counsel, or investigating officer in any case shall subsequently act as a staff judge advocate to the reviewing or confirming authority upon the same case."

Defense counsel.

Selection of counsel by accused.

Restrictions.

SEC. 209. Article 12 is amended to read as follows:

41 Stat. 789.
10 U. S. C. § 1483.

"ART. 12. GENERAL COURTS-MARTIAL.—General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles, and any other person who by the law of war is subject to trial by military tribunals: *Pro-*

vided, That general courts-martial shall have power to adjudge any punishment authorized by law or the custom of the service including a bad-conduct discharge."

41 Stat. 789.
10 U. S. C. § 1484.

SEC. 210. Article 13 is amended to read as follows:

"ART. 13. SPECIAL COURTS-MARTIAL.—Special courts-martial shall have power to try any person subject to military law for any crime or offense not capital made punishable by these articles: *Provided*, That the officer competent to appoint a general court-martial for the trial of any particular case may, when in his judgment the interests of the service so require, cause any case to be tried by a special court-martial notwithstanding the limitations upon the jurisdiction of the special court-martial as to offenses herein prescribed.

Dishonorable discharge, etc.

"Special courts-martial shall not have power to adjudge dishonorable discharge or dismissal, or confinement in excess of six months, nor to adjudge forfeiture of more than two-thirds pay per month for a period of not exceeding six months: *Provided*, That subject to approval of the sentence by an officer exercising general court-martial jurisdiction and subject to appellate review by The Judge Advocate General and appellate agencies in his office, a special court-martial may adjudge a bad-conduct discharge in addition to other authorized punishment: *Provided further*, That a bad-conduct discharge shall not be adjudged by a special court-martial unless a complete record of the proceedings of and testimony taken by the court is taken in the case."

Bad-conduct discharge.

Restriction.

41 Stat. 789.
10 U. S. C. § 1485.

SEC. 211. Article 14 is amended to read as follows:

"ART. 14. SUMMARY COURTS-MARTIAL.—Summary courts-martial shall have power to try any person subject to military law, except an officer, a warrant officer, or a cadet, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a special court-martial: *Provided further*, That the President may, by regulations, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

Noncommissioned officers.

Exceptions.

Restriction on powers.

"Summary courts-martial shall not have power to adjudge confinement in excess of one month, restriction to limits for more than three months, or forfeiture or detention of more than two-thirds of one month's pay."

41 Stat. 790.
10 U. S. C. § 1487.

SEC. 212. Article 16 is amended to read as follows:

"ART. 16. PERSONS IN THE MILITARY SERVICE—HOW TRIABLE.—Officers shall be triable only by general and special courts-martial and in no case shall a person in the military service, when it can be avoided, be tried by persons inferior to him in rank. No enlisted person may sit as a member of a court-martial for the trial of another enlisted person who is assigned to the same company or corresponding military unit.

Confinement, restriction.

"No person subject to military law shall be confined with enemy prisoners or any other foreign nationals outside of the continental limits of the United States, nor shall any defendant awaiting trial be made subject to punishment or penalties other than confinement prior to sentence on charges against him."

41 Stat. 791.
10 U. S. C. § 1493.

SEC. 213. Article 22 is amended to read as follows:

"ART. 22. PROCESS TO OBTAIN WITNESSES.—Every trial judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States having criminal jurisdiction may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions. Witnesses for the defense shall be subpenaed, upon request by the defense counsel,

through process issued by the trial judge advocate, in the same manner as witnesses for the prosecution."

SEC. 214. Article 24 is amended to read as follows: 41 Stat. 792. 10 U. S. C. § 1495.

"ART. 24. COMPULSORY SELF-INCRIMINATION PROHIBITED.—No witness before a military court, commission, court of inquiry, or board, or before any officer conducting an investigation, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, or before an officer conducting an investigation, shall be compelled to incriminate himself or to answer any question the answer to which may tend to incriminate him or to answer any question not material to the issue or when such answer might tend to degrade him.

"The use of coercion or unlawful influence in any manner whatsoever by any person to obtain any statement, admission or confession from any accused person or witness, shall be deemed to be conduct to the prejudice of good order and military discipline, and no such statement, admission, or confession shall be received in evidence by any court-martial. It shall be the duty of any person in obtaining any statement from an accused to advise him that he does not have to make any statement at all regarding the offense of which he is accused or being investigated, and that any statement by the accused may be used as evidence against him in a trial by court-martial." Use of coercion, etc.

SEC. 215. Article 25 is amended to read as follows: 41 Stat. 792. 10 U. S. C. § 1496.

"ART. 25. DEPOSITIONS—WHEN ADMISSIBLE.—A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or district in which the court, commission, or board is ordered to sit, or beyond the distance of one hundred miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to, or, in foreign places, because of nonamenability to process, refuses to, appear and testify in person at the place of trial or hearing: *Provided*, That testimony by deposition may be adduced for the defense in capital cases: *Provided further*, That a deposition may be read in evidence in any case in which the death penalty is authorized by law but is not mandatory, whenever the appointing authority shall have directed that the case be treated as not capital, and in such a case a sentence of death may not be adjudged by the court-martial: *And provided further*, That at any time after charges have been signed as provided in article 46, and before the charges have been referred for trial, any authority competent to appoint a court-martial for the trial of such charges may designate officers to represent the prosecution and the defense and may authorize such officers, upon due notice, to take the deposition of any witness, and such deposition may subsequently be received in evidence as in other cases." Capital cases. Designation of officers. *Post*, p. 633.

SEC. 216. Article 31 is amended to read as follows: 41 Stat. 793. 10 U. S. C. § 1502.

"ART. 31. METHOD OF VOTING.—Voting by members of a general or special court-martial upon questions of challenge, on the findings, and on the sentence shall be by secret written ballot. The junior member of the court shall in each case count the votes, which count shall be checked by the president, who shall forthwith announce the result of the ballot to the members of the court. The law member of a general court-martial or the president of a special court-martial, shall rule in open court upon interlocutory questions, other than challenge, arising during the proceedings: *Provided*, That unless such ruling be made by the law member of a general court-martial, if any mem- Interlocutory questions. Decision by majority vote.

ber object thereto, the court shall be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *And provided further*, That any such ruling made by the law member of a general court-martial upon any interlocutory question other than a motion for a finding of not guilty, or the question of accused's sanity, shall be final and shall constitute the ruling of the court; but the law member may in any case consult with the court, in closed session, before making a ruling, and may change any ruling made at any time during the trial. It shall be the duty of the law member of a general or the president of a special court-martial before a vote is taken to advise the court that the accused must be presumed to be innocent until his guilt is established by legal and competent evidence beyond a reasonable doubt, and that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt shall be resolved in the accused's favor and he shall be acquitted; if there is a reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no such doubt; that the burden of proof to establish the guilt of the accused is upon the Government."

Finality of ruling.

41 Stat. 794.
10 U. S. C. § 1507.

SEC. 217. Article 36 is amended to read as follows:

"ART. 36. DISPOSITION OF RECORDS—SPECIAL AND SUMMARY COURTS-MARTIAL.—After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to the headquarters of the officer exercising general court-martial jurisdiction over the command, there to be filed in the office of the staff judge advocate: *Provided, however*, That each record of trial by special court-martial in which the sentence, as approved by the appointing authority, includes a bad-conduct discharge, shall, if approved by the officer exercising general court-martial jurisdiction under the provisions of article 47, be forwarded by him to The Judge Advocate General for review as hereinafter in these articles provided. When no longer of use, records of summary courts-martial may be destroyed as provided by law governing destruction of Government records."

Review of record.

Post, p. 634.

Destruction of records.

41 Stat. 794.
10 U. S. C. § 1509.

SEC. 218. Article 38 is amended to read as follows:

"ART. 38. PRESIDENT MAY PRESCRIBE RULES.—The President may, by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals, which regulations shall, insofar as he shall deem practicable, apply the principles of law and rules of evidence generally recognized in the trial of criminal cases in the district courts of the United States: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules and regulations made in pursuance of this Article shall be laid before the Congress."

Presentation to Congress.

41 Stat. 794.
10 U. S. C. § 1510; Supp. I, § 1510 note.

SEC. 219. Article 39 is amended to read as follows:

"ART. 39. AS TO TIME.—Except for desertion or absence without leave committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before arraignment of such person: *Provided*, That for desertion in time of peace, rape or for any crime or offense punishable under articles 93 and 94 of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *Provided further*, That this article shall not

Desertion in time of peace, etc.

Post, p. 640.

Exclusions from periods of limitation.

Crimes barred.

have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law: *And provided further*, That in the case of any offense the trial of which in time of war shall be certified by the Secretary of the Department of the Army to be detrimental to the prosecution of the war or inimical to the Nation's security, the period of limitations herein provided for the trial of the said offense shall be extended to the duration of the war and six months thereafter."

Extension of period of limitations.

SEC. 220. Article 43 is amended to read as follows:

41 Stat. 795. 10 U. S. C. § 1514.

"ART. 43. DEATH SENTENCE—WHEN LAWFUL; VOTE ON FINDINGS AND SENTENCE.—No person shall, by general court martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of all the members of said court martial present at the time the vote is taken, and for an offense in these articles expressly made punishable by death; nor sentenced to life imprisonment, nor to confinement for more than ten years, except by the concurrence of three-fourths of all the members present at the time the vote is taken. Conviction of any offense for which the death sentence is not mandatory and any sentence to confinement not in excess of ten years, whether by general or special court martial, may be determined by a two-thirds vote of those members present at the time the vote is taken. All other questions shall be determined by a majority vote."

SEC. 221. Article 44 is amended to read as follows:

41 Stat. 796. 10 U. S. C. § 1515.

"ART. 44. OFFICERS—REDUCTION TO RANKS.—When a sentence to dismissal may lawfully be adjudged in the case of an officer the sentence may in time of war, under such regulations as the President may prescribe, adjudge in lieu thereof reduction to the grade of private."

SEC. 222. Article 46 is amended to read as follows:

41 Stat. 796. 10 U. S. C. § 1517.

"ART. 46. CHARGES; ACTION UPON.—

"a. SIGNATURE; OATH.—Charges and specifications must be signed by a person subject to military law, and under oath either that he has personal knowledge of, or has investigated, the matters set forth therein and that the same are true in fact, to the best of his knowledge and belief.

"b. INVESTIGATION.—No charge will be referred to a general court-martial for trial until after a thorough and impartial investigation thereof shall have been made. This investigation will include inquiries as to the truth of the matter set forth in said charges, form of charges, and what disposition of the case should be made in the interest of justice and discipline. The accused shall be permitted, upon his request, to be represented at such investigation by counsel of his own selection, civil counsel if he so provides, or military if such counsel be reasonably available, otherwise by counsel appointed by the officer exercising general courts martial jurisdiction over the command. At such investigation full opportunity shall be given to the accused to cross-examine witnesses against him if they are available and to present anything he may desire in his own behalf, either in defense or mitigation, and the investigating officer shall examine available witnesses requested by the accused. If the charges are forwarded after such investigation they shall be accompanied by a statement of the substance of the testimony taken on both sides.

Representation of accused by counsel.

Cross-examination of witnesses.

"c. FORWARDING CHARGES; DELAYS; SERVICE OF CHARGES.—When a person is held for trial by general court-martial, the commanding officer will, within eight days after the accused is arrested or confined, if practicable, forward the charges to the officer exercising general court-martial jurisdiction and furnish the accused a copy of such charges. If the same be not practicable, he will report to superior authority the reasons for delay. The trial judge advocate will cause

to be served upon the accused a copy of the charges upon which trial is to be had, and a failure so to serve such charges will be ground for a continuance unless the trial be had on the charges furnished the accused as hereinbefore provided. In time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him."

41 Stat. 796. 10 U. S. C. § 1518.

SEC. 223. Article 47 is amended to read as follows:

"ART. 47. ACTION BY CONVENING AUTHORITY.—

"a. ASSIGNMENT OF JUDGE ADVOCATES; CHANNELS OF COMMUNICATION.—All members of the Judge Advocate General's Department will be assigned as prescribed by The Judge Advocate General after appropriate consultations with commanders on whose staffs they may serve; and The Judge Advocate General or senior members of his staff will make frequent inspections in the field in supervision of the administration of military justice. Convening authorities will at all times communicate directly with their staff judge advocates in matters relating to the administration of military justice; and the staff judge advocate of any command is authorized to communicate directly with the staff judge advocate of a superior or subordinate command, or with The Judge Advocate General.

"b. REFERENCE FOR TRIAL.—Before directing the trial of any charge by general court-martial the convening authority will refer it to his staff judge advocate for consideration and advice; and no charge will be referred to a general court-martial for trial unless it has been found that a thorough and impartial investigation thereof has been made as prescribed in the preceding article, that such charge is legally sufficient to allege an offense under these articles, and is sustained by evidence indicated in the report of investigation.

"c. ACTION ON RECORD OF TRIAL.—Before acting upon a record of trial by general court-martial or military commission, or a record of trial by special court-martial in which a bad-conduct discharge has been adjudged and approved by the authority appointing the court, the reviewing authority will refer it to his staff judge advocate or to The Judge Advocate General for review and advice; and no sentence shall be approved unless upon conviction established beyond reasonable doubt of an offense made punishable by these articles, and unless the record of trial has been found legally sufficient to support it.

"d. APPROVAL.—No sentence of a court-martial shall be carried into execution until the same shall have been approved by the convening authority: *Provided*, That no sentence of a special court-martial including a bad-conduct discharge shall be carried into execution until in addition to the approval of the convening authority the same shall have been approved by an officer authorized to appoint a general court-martial.

"e. WHO MAY EXERCISE.—Action by the convening authority may be taken by an officer commanding for the time being, by a successor in command, or by any officer exercising general court-martial jurisdiction.

"f. POWERS INCIDENT TO POWER TO APPROVE.—The power to approve the sentence of a court-martial shall include—

"(1) the power to approve or disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense;

"(2) the power to approve or disapprove the whole or any part of the sentence; and

"(3) the power to remand a case for rehearing under the provisions of article 52."

Post, p. 638.

SEC. 224. Article 48 is amended to read as follows:

"ART. 48. CONFIRMATION.—In addition to the approval required by article 47, confirmation is required as follows before the sentence of a court-martial may be carried into execution, namely:

41 Stat. 796.
10 U. S. C. § 1519; Supp. I, § 1519 note.
Ante, p. 634.

"a. By the President with respect to any sentence—

"(1) of death, or

"(2) involving a general officer:

Provided, That when the President has already acted as approving authority, no additional confirmation by him is necessary;

"b. By the Secretary of the Department of the Army with respect to any sentence not requiring approval or confirmation by the President, when The Judge Advocate General does not concur in the action of the Judicial Council;

"c. By the Judicial Council, with the concurrence of The Judge Advocate General, with respect to any sentence—

"(1) when the confirming action of the Judicial Council is not unanimous, or when by direction of The Judge Advocate General his participation in the confirming action is required, or

"(2) involving imprisonment for life, or

"(3) involving the dismissal of an officer other than a general officer, or

"(4) involving the dismissal or suspension of a cadet;

"d. By the Judicial Council with respect to any sentence in a case transmitted to the Judicial Council under the provisions of article 50 for confirming action."

Infra.

SEC. 225. Article 49 is amended to read as follows:

41 Stat. 797.
10 U. S. C. § 1520.

"ART. 49. POWERS INCIDENT TO POWER TO CONFIRM.—The power to confirm the sentence of a court-martial shall be held to include—

"a. The power to approve, confirm, or disapprove a finding of guilty, and to approve or confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense:

"b. The power to confirm, disapprove, vacate, commute, or reduce to legal limits the whole or any part of the sentence;

"c. The power to restore all rights, privileges, and property affected by any finding or sentence disapproved or vacated;

"d. The power to order the sentence to be carried into execution;

"e. The power to remand the case for a rehearing under the provisions of article 52."

Post, p. 638.

SEC. 226. Article 50 is amended to read as follows:

41 Stat. 797.
10 U. S. C. § 1521.

"ART. 50. APPELLATE REVIEW.—

"a. BOARD OF REVIEW; JUDICIAL COUNCIL.—The Judge Advocate General shall constitute, in his office, a Board of Review composed of not less than three officers of the Judge Advocate General's Department. He shall also constitute, in his office, a Judicial Council composed of three general officers of the Judge Advocate General's Department: *Provided*, That the Judge Advocate General may, under exigent circumstances, detail as members of the Judicial Council, for periods not in excess of sixty days, officers of the Judge Advocate General's Department of grades below that of general officer.

Detail of certain officers.

"b. ADDITIONAL BOARDS OF REVIEW AND JUDICIAL COUNCILS.—Whenever necessary, the Judge Advocate General may constitute two or more Boards of Review and Judicial Councils in his office, with equal powers and duties, composed as provided in the first paragraph of this article.

"c. BRANCH OFFICES.—Whenever the President deems such action necessary, he may direct The Judge Advocate General to establish a branch office, under an Assistant Judge Advocate General who shall be a general officer of The Judge Advocate General's Department, with any distant command, and to establish in such branch office one or more Boards of Review and Judicial Councils composed as provided

in the first paragraph of this article. Such Assistant Judge Advocate General and such Board of Review and Judicial Council shall be empowered to perform for that command under the general supervision of The Judge Advocate General, the duties which The Judge Advocate General and the Board of Review and Judicial Council in his office would otherwise be required to perform in respect of all cases involving sentences not requiring approval or confirmation by the President: *Provided*, That the power of mitigation and remission shall not be exercised by such Assistant Judge Advocate General or by agencies in his office, but any case in which such action is deemed desirable shall be forwarded to The Judge Advocate General with appropriate recommendations.

Power of mitigation and remission.

"d. ACTION BY BOARD OF REVIEW WHEN APPROVAL BY PRESIDENT OR CONFIRMING ACTION IS REQUIRED.—Before any record of trial in which there has been adjudged a sentence requiring approval or confirmation by the President or confirmation by any other confirming authority is submitted to the President or such other confirming authority, as the case may be, it shall be examined by the Board of Review which shall take action as follows:

Transmittal of opinions, etc.

"(1) In any case requiring action by the President, the Board of Review shall submit its opinion in writing, through the Judicial Council which shall also submit its opinion in writing, to the Judge Advocate General, who shall, except as herein otherwise provided, transmit the record and the Board's and Council's opinions, with his recommendations, directly to the Secretary of the Department of the Army for the action of the President: *Provided*, That the Judicial Council, with the concurrence of the Judge Advocate General shall have powers in respect to holdings of legal insufficiency equal to the powers vested in the Board of Review by subparagraph (3) of this paragraph.

If record held legally sufficient.

"(2) In any case requiring confirming action by the Judicial Council with or without the concurrence of the Judge Advocate General, when the Board of Review is of the opinion that the record of trial is legally sufficient to support the sentence it shall submit its opinion in writing to the Judicial Council for appropriate action.

If record held legally insufficient.

"(3) When the Board of Review is of the opinion that the record of trial in any case requiring confirming action by the President or confirming action by the Judicial Council is legally insufficient to support the findings of guilty and sentence, or the sentence, or that errors of law have been committed injuriously affecting the substantial rights of the accused, it shall submit its holding to the Judge Advocate General and when the Judge Advocate General concurs in such holding, such findings and sentence shall thereby be vacated in accord with such holding and the record shall be transmitted by the Judge Advocate General to the appropriate convening authority for a rehearing or such other action as may be proper.

Transmittal of record, etc., to Judicial Council.

"(4) In any case requiring confirming action by the President or confirming action by the Judicial Council in which the Board of Review holds the record of trial legally insufficient to support the findings of guilty and sentence, or the sentence, and the Judge Advocate General shall not concur in the holding of the Board of Review, the holding and the record of trial shall be transmitted to the Judicial Council for confirming action or for other appropriate action in a case in which confirmation of the sentence by the President is required under article 48a.

Ante, p. 635.

"e. ACTION BY BOARD OF REVIEW IN CASES INVOLVING DISHONORABLE OR BAD-CONDUCT DISCHARGES OR CONFINEMENT IN PENITENTIARY.—No authority shall order the execution of any sentence of a court-martial

involving dishonorable discharge not suspended, bad-conduct discharge not suspended, or confinement in a penitentiary unless and until the appellate review required by this article shall have been completed and unless and until any confirming action required shall have been completed. Every record of trial by general or special court-martial involving a sentence to dishonorable discharge or bad-conduct discharge, whether such discharges be suspended or not suspended, and every record of trial by general court-martial involving a sentence to confinement in a penitentiary, other than records of trial examination of which is required by paragraph d of this article, shall be examined by the Board of Review which shall take action as follows:

Examination of record of trial.

Ante, p. 636.

"(1) In any case in which the Board of Review holds the record of trial legally sufficient to support the findings of guilty and sentence, and confirming action is not by the Judge Advocate General or the Board of Review deemed necessary, the Judge Advocate General shall transmit the holding to the convening authority, and such holding shall be deemed final and conclusive.

Final action when record held legally sufficient.

"(2) In any case in which the Board of Review holds the record of trial legally sufficient to support the findings of guilty and sentence, but modification of the findings of guilty or the sentence is by the Judge Advocate General or the Board of Review deemed necessary to the ends of justice, the holding and the record of trial shall be transmitted to the Judicial Council for confirming action.

Modification of sentence, etc.

"(3) In any case in which the Board of Review holds the record of trial legally insufficient to support the findings of guilty and sentence, in whole or in part, and the Judge Advocate General concurs in such holding, the findings and sentence shall thereby be vacated in whole or in part in accord with such holding, and the record shall be transmitted by the Judge Advocate General to the convening authority for rehearing or such other action as may be appropriate.

Vacation of sentence.

"(4) In any case in which the Board of Review holds the record of trial legally insufficient to support the findings of guilty and sentence, in whole or in part, and the Judge Advocate General shall not concur in the holding of the Board of Review, the holding and the record of trial shall be transmitted to the Judicial Council for confirming action.

Transmittal to Judicial Council.

"f. APPELLATE ACTION IN OTHER CASES.—Every record of trial by general court-martial the appellate review of which is not otherwise provided for by this article shall be examined in the Office of the Judge Advocate General and if found legally insufficient to support the findings of guilty and sentence, in whole or in part, shall be transmitted to the Board of Review for appropriate action in accord with paragraph e of this article.

"g. WEIGHING EVIDENCE.—In the appellate review of records of trials by courts-martial as provided in these articles the Judge Advocate General and all appellate agencies in his office shall have authority to weigh evidence, judge the credibility of witnesses, and determine controverted questions of fact.

"h. FINALITY OF COURT-MARTIAL JUDGMENTS.—The appellate review of records of trial provided by this article, the confirming action taken pursuant to articles 48 or 49, the proceedings, findings, and sentences of courts-martial as heretofore or hereafter approved, reviewed, or confirmed as required by the Articles of War and all dismissals and discharges heretofore or hereafter carried into execution pursuant to sentences by courts-martial following approval, review, or confirmation as required by the Articles of War, shall be final and conclusive, and orders publishing the proceedings of courts-martial and all action

Ante, p. 635.

taken pursuant to such proceedings shall be binding upon all departments, courts, agencies, and officers of the United States, subject only to action upon application for a new trial as provided in article 53."

Post, p. 639.

41 Stat. 797.
10 U. S. C. § 1522.

SEC. 227. Article 50½ is rescinded.

41 Stat. 799.
10 U. S. C. § 1523.

SEC. 228. Article 51 is amended to read as follows:

"ART. 51. MITIGATION, REMISSION, AND SUSPENSION OF SENTENCES.—

"a. AT THE TIME ORDERED EXECUTED.—The power of the President, the Secretary of the Department of the Army, and any reviewing authority to order the execution of a sentence of a court-martial shall include the power to mitigate, remit, or suspend the whole or any part thereof, except that a death sentence may not be suspended. The Judge Advocate General shall have the power to mitigate, remit, or suspend the whole or any part of a sentence in any case requiring appellate review under article 50 and not requiring approval or confirmation by the President, but the power to mitigate or remit shall be exercised by the Judge Advocate General under the direction of the Secretary of the Department of the Army. The authority which suspends the execution of a sentence may restore the person under sentence to duty during such suspension; and the death or honorable discharge of a person under suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

Ante, p. 635.

Restoration to duty.

"b. SUBSEQUENT TO THE TIME ORDERED EXECUTED.—

"(1) Any unexecuted portion of a sentence other than a sentence of death, including all uncollected forfeitures, adjudged by court-martial may be mitigated, remitted or suspended and any order of suspension may be vacated, in whole or in part, by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States disciplinary barracks, in which the person under sentence may be, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority or by the Judge Advocate General under the direction of the Secretary of the Department of the Army: *Provided*, That no sentence approved or confirmed by the President shall be mitigated, remitted, or suspended by any authority inferior to the President: *And provided further*, That no order of suspension of a sentence to dishonorable discharge or bad conduct discharge shall be vacated unless and until confirming or appellate action on the sentence has been completed as required by articles 48 and 50.

Vacation of suspension.

Ante, p. 635.

"(2) The power to suspend a sentence shall include the power to restore the person affected to duty during such suspension.

"(3) The power to mitigate, remit or suspend the sentence or any part thereof in the case of a person confined in the United States disciplinary barracks or in a penitentiary shall be exercised by the Secretary of the Department of the Army or by the Judge Advocate General under the direction of the Secretary of the Department of the Army."

41 Stat. 799.
10 U. S. C. § 1524.

SEC. 229. Article 52 is amended to read as follows:

"ART. 52. REHEARINGS.—When any reviewing or confirming authority disapproves a sentence or when any sentence is vacated by action of the Board of Review or Judicial Council and the Judge Advocate General, the reviewing or confirming authority or the Judge Advocate General may authorize or direct a rehearing. Such rehearing shall take place before a court-martial composed of members not members of the court-martial which first heard the case. Upon such rehearing the accused shall not be tried for any offense of which he was found not guilty by the first court-martial, and no sentence in excess of or more severe than the original sentence shall be enforced unless the sentence

be based upon a finding of guilty of an offense not considered upon the merits in the original proceeding."

SEC. 230. Article 53 is amended to read as follows: 41 Stat. 800. 10 U. S. C. § 1525.

"ART. 53. PETITION FOR NEW TRIAL.—Under such regulations as the President may prescribe, the Judge Advocate General is authorized, upon application of an accused person, and upon good cause shown, in his discretion to grant a new trial, or to vacate a sentence, restore rights, privileges, and property affected by such sentence, and substitute for a dismissal, dishonorable discharge, or bad conduct discharge previously executed a form of discharge authorized for administrative issuance, in any court-martial case in which application is made within one year after final disposition of the case upon initial appellate review: *Provided*, That with regard to cases involving offenses committed during World War II, the application for a new trial may be made within one year after termination of the war, or after its final disposition upon initial appellate review as herein provided, whichever is the later: *Provided*, That only one such application for a new trial may be entertained with regard to any one case: *And provided further*, That all action by the Judge Advocate General pursuant to this article, and all proceedings, findings, and sentences on new trials under this article, as approved, reviewed, or confirmed under articles 47, 48, 49, and 50, and all dismissals and discharges carried into execution pursuant to sentences adjudged on new trials and approved, reviewed, or confirmed, shall be final and conclusive and orders publishing the action of the Judge Advocate General or the proceedings on new trial and all action taken pursuant to such proceedings, shall be binding upon all departments, courts, agencies, and officers of the United States."

Offenses committed during World War II.

Finality of action.

Ante, pp. 634, 635.

SEC. 231. Article 70 is amended to read as follows: 41 Stat. 802. 10 U. S. C. § 1542.

"ART. 70. CHARGES; ACTION UPON, UNNECESSARY DELAY.—When any person subject to military law is placed in arrest or confinement immediate steps will be taken to try the person accused or to dismiss the charge and release him. Any officer who is responsible for unnecessary delay in investigating or carrying the case to a final conclusion shall be punished as a court-martial may direct."

SEC. 232. Article 85 is amended to read as follows: 41 Stat. 804. 10 U. S. C. § 1557.

"ART. 85. DRUNK ON DUTY.—Any person subject to military law, who is found drunk on duty, shall be punished as a court-martial may direct."

SEC. 233. Article 88 is amended to read as follows: 41 Stat. 805. 10 U. S. C. § 1560.

"ART. 88. UNLAWFULLY INFLUENCING ACTION OF COURT.—No authority appointing a general, special, or summary court-martial nor any other commanding officer, shall censure, reprimand, or admonish such court, or any member thereof, with respect to the findings or sentence adjudged by the court, or with respect to any other exercise, by such court or any member thereof, of its or his judicial responsibility. No person subject to military law shall attempt to coerce or unlawfully influence the action of a court-martial or any military court or commission, or any member thereof, in reaching the findings or sentence in any case, or the action of an appointing or reviewing or confirming authority with respect to his judicial acts."

SEC. 234. Article 89 is amended to read as follows: 41 Stat. 805. 10 U. S. C. § 1561.

"ART. 89. GOOD ORDER TO BE MAINTAINED AND WRONGS REDRESSED.—All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or wrongfully destroys any property whatsoever or commits any kind of depredation or riot, shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him refuses or omits to see reparation made to the party injured, insofar as the offender's pay shall go

Failure of commanding officer to act.

41 Stat. 808.
10 U. S. C. § 1577.

toward such reparation, as provided for in article 105, shall be dismissed from the service, or otherwise punished, as a court-martial may direct."

41 Stat. 805.
10 U. S. C. § 1564.

SEC. 235. Article 92 is amended to read as follows:

"ART. 92. MURDER—RAPE.—Any person subject to military law found guilty of murder shall suffer death or imprisonment for life, as a court-martial may direct; but if found guilty of murder not premeditated, he shall be punished as a court-martial may direct. Any person subject to military law who is found guilty of rape shall suffer death or such other punishment as a court-martial may direct: *Provided*, That no person shall be tried by court-martial for murder or rape committeed within the geographical limits of the States of the Union and the District of Columbia in time of peace."

Trial in time of peace.

41 Stat. 805.
10 U. S. C. § 1565.

SEC. 236. Article 93 is amended to read as follows:

"ART. 93. VARIOUS CRIMES.—Any person subject to military law who commits manslaughter, mayhem, arson, burglary, housebreaking, robbery, larceny, perjury, forgery, sodomy, assault with intent to commit any felony, assault with intent to do bodily harm with a dangerous weapon, instrument, or other thing, or assault with intent to do bodily harm, shall be punished as a court-martial may direct: *Provided*, That any person subject to military law who commits larceny or embezzlement shall be guilty of larceny within the meaning of this article."

Larceny.

41 Stat. 805.
10 U. S. C. § 1566.

SEC. 237. Article 94 is amended to read as follows:

"ART. 94. FRAUDS AGAINST THE GOVERNMENT.—Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

False papers, etc.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper knowing the same to contain any false or fraudulent statements; or

False oaths, etc.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes or procures, or advises the making of, any oath to any fact or to any writing or other paper knowing such oath to be false; or

Forgery of signatures.

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

Delivery of amount less than receipted.

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

Certifying false receipts.

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such

writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

Stealing, etc., military property.

"Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipment, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof: *Provided*, That any person, subject to military law, who commits larceny or embezzlement with respect to property of the United States, furnished or intended for the military service thereof, or with respect to other property within the purview of this article, steals said property within the meaning of this article; or

Unlawful purchase, etc., of U. S. property.

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same; or

Agreement or conspiracy.

"Who enters into any agreement or conspires to commit any of the offenses aforesaid;

Penalty.

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court martial may adjudge, or by any or all of said penalties.

Liability after separation from service.

If any person, being guilty of any of the offenses aforesaid or who steals or fails properly to account for any money or other property held in trust by him for enlisted persons or as its official custodian while in the military service of the United States, receives his discharge or is dismissed or otherwise separated from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court martial in the same manner and to the same extent as if he had not been so separated therefrom."

41 Stat. 808.
10 U. S. C. § 1576; Supp. I, § 1576 note.

SEC. 238. Article 104 is amended to read as follows:

"ART. 104. DISCIPLINARY POWERS OF COMMANDING OFFICERS.—Under such regulations as the President may prescribe, the commanding officer of any detachment, company, or higher command, may, for minor offenses, impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

Disciplinary punishments authorized.

"The disciplinary punishments authorized by this article may include admonition or reprimand, or the withholding of privileges, or extra fatigue, or restriction to certain specified limits, or hard labor without confinement or any combination of such punishments for not exceeding one week from the date imposed; but shall not include forfeiture of pay or confinement under guard; except that any officer exercising general court-martial jurisdiction may, under the provisions of this article, also impose upon a warrant officer or officer of his command below the rank of brigadier general a forfeiture of not more than one-half of his pay per month for three months.

Appeal of punishment.

"A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment.

Court martial.

The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a serious crime or offense growing out of the same act or omission, and not properly punishable under this article; but the fact that a disciplinary punishment has been enforced may be shown by the

accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty."

41 Stat. 809. 10 U. S. C. § 1580; Supp. I, § 1580 note.

SEC. 239. Article 108 is amended to read as follows:

"ART. 108. SOLDIERS—SEPARATION FROM THE SERVICE.—No enlisted person, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge, and no enlisted person shall be discharged from said service before his term of service has expired, except in the manner prescribed by the Secretary of the Department of the Army, or by sentence of a general or special court-martial."

41 Stat. 809. 10 U. S. C. § 1582.

SEC. 240. Article 110 is amended to read as follows:

"ART. 110. CERTAIN ARTICLES OF WAR TO BE READ OR EXPLAINED.—Articles 1, 2, 24, 28, 29, 54 to 97, inclusive, 104 to 109, inclusive, and 121 shall be read or carefully explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read or explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States. And a complete text of the Articles of War and of the Manual for Courts-Martial shall be made available to any soldier, upon his request, for his personal examination."

Ante, p. 627 *et seq.* 10 U. S. C. § 1473 *et seq.*; Supp. I, § 1473 *et seq.* notes.

41 Stat. 811. 10 U. S. C. § 1588.

SEC. 241. Article 116 is amended to read as follows:

"ART. 116. POWERS OF ASSISTANT TRIAL JUDGE ADVOCATE AND OF ASSISTANT DEFENSE COUNSEL.—An assistant trial judge advocate of a general or special court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the trial judge advocate of the court. An assistant defense counsel shall be competent likewise to perform any duty devolved by law, regulation, or the custom of the service upon counsel for the accused."

41 Stat. 811. 10 U. S. C. § 1589.

SEC. 242. Article 117 is amended to read as follows:

"ART. 117. REMOVAL OF CIVIL SUITS.—When any civil or criminal prosecution is commenced in any court of a State of the United States against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed by law, and the cause shall thereupon be entered on the docket of such district court, which shall proceed as if the cause had been originally commenced therein and shall have full power to hear and determine said cause."

41 Stat. 811. 10 U. S. C. § 1593.

SEC. 243. Section 1 of article 121 is amended to read as follows:

"ART. 121. COMPLAINTS OF WRONGS.—Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the officer exercising general court-martial jurisdiction over the officer against whom the complaint is made. That officer shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of the Army a true statement of such complaint, with the proceedings had thereon."

Effective date.

SEC. 244. This title shall become effective on the first day of the eighth calendar month after approval of this title.

Prior offenses.

SEC. 245. All offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the effective date of this title, under any law embraced in or modified, changed or repealed by this title, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this title had not been passed.

39 Stat. 169. 10 U. S. C., Supp. I, § 61 note.

SEC. 246. Section 8 of the National Defense Act, as amended (10 U. S. C. 61), is amended to read as follows:

"SEC. 8. JUDGE ADVOCATE GENERAL'S CORPS.—The Judge Advocate General's Corps shall consist of one Judge Advocate General with the rank of major general, one assistant with the rank of major general, three officers with the rank of brigadier general, and an active list commissioned officer strength to be determined by the Secretary of the Department of the Army, but such strength shall not be less than 1½ per centum of the authorized active list commissioned officer strength of the Armed Services of the National Military Establishment who are subject to the Articles of War, and in addition warrant officers and enlisted men in such numbers as the Secretary of the Department of the Army shall determine."

Appointment of Regular Army officers.

SEC. 247. Regular Army officers shall be permanently appointed by the President, by and with the advice and consent of the Senate, in the Judge Advocate General's Corps in the commissioned officer grades of major general, brigadier general, colonel, lieutenant colonel, major, captain, and first lieutenant. The names of commissioned officers of the Judge Advocate General's Corps below the grade of brigadier general shall be carried on the Judge Advocate's promotion list. The Judge Advocate's promotion list shall be established by entering thereon the names of the officers concerned without change in their order of precedence on the existing promotion list. The authorized numbers in each of the several grades in the Judge Advocate's promotion list shall be prescribed by the Secretary of the Department of the Army, but the numbers thus authorized shall not exceed the following percentages of the total strength authorized for that list: 8 per centum in the grade of colonel; 14 per centum in the grade of lieutenant colonel; 19 per centum in the grade of major; 23 per centum in the grade of captain; and 36 per centum in the grade of first lieutenant: *Provided*, That numbers may be authorized for any grade in lieu of authorization in higher grades: *Provided further*, That this provision shall not operate to require a reduction in permanent grade of any officer now holding permanent appointment.

Promotion list.

Authorized numbers.

Officers whose names are carried on the Judge Advocate's promotion list shall be promoted to the several grades as now or hereafter prescribed for promotion of promotion-list officers generally and the authorized numbers in grades below colonel on such list shall be temporarily increased from time to time in order to give effect to the promotion system now or hereafter prescribed by law for promotion-list officers.

Additional officers.

Within the authorized strength of the Judge Advocate General's Corps additional officers may be appointed by transfer of qualified officers from other branches of the Army, by appointment of Reserve judge advocates or qualified civilian graduates of accredited law schools. Those originally appointed in the Regular Army in the Judge Advocate General's Corps shall be credited with an amount of service for the purpose of determining grade, position on promotion list, permanent-grade seniority, and eligibility for promotion as now or hereafter prescribed by law.

Legal adviser of Department of Army.

SEC. 248. The Judge Advocate General shall, in addition to such other duties as may be prescribed by law, be the legal adviser of the Secretary of the Department of the Army and of all officers and agencies of the Department of the Army; and all members of the Judge Advocate General's Corps shall perform their duties under the direction of the Judge Advocate General.

Appointment of certain officers.

SEC. 249. Notwithstanding any other provisions of law, the Judge Advocate General, the Assistant Judge Advocate General and general officers of the Judge Advocate General's Corps shall be appointed by

the President, by and with the advice and consent of the Senate, from among officers of the Judge Advocate General's Corps who are recommended for such positions by the Secretary of the Department of the Army. Upon the appointment of an officer to be the Judge Advocate General or Assistant Judge Advocate General with the rank of major general, he shall at the same time if not then holding permanent appointment in such grade be appointed a permanent major general of the Regular Army.

Approved June 24, 1948.

[CHAPTER 626]

AN ACT

June 24, 1948
[S. 2706]
[Public Law 760]

To authorize the Federal Works Administrator to lease for commercial purposes certain space in the building located at 811 Vermont Avenue Northwest, Washington, District of Columbia, commonly known as the Lafayette Building.

Federal Works Administrator.
Lease of certain space.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is hereby authorized to lease for commercial purposes for periods not exceeding ten years and upon such terms and conditions as he may deem to be in the public interest, such space in the building located at 811 Vermont Avenue Northwest, Washington, District of Columbia, commonly known as the Lafayette Building, as was leased by the Reconstruction Finance Corporation for commercial purposes on July 30, 1947, the date title to such building was transferred from the Reconstruction Finance Corporation to the United States of America by section 306, title III, Public Law 268, Eightieth Congress. The rentals received pursuant to this Act may be deposited into a common fund account or accounts in the Treasury, and notwithstanding the provisions of the Act of June 30, 1932 (40 U. S. C. 303b), shall be available to pay the cost of maintenance, upkeep, and repair of the space so leased and for the establishment of necessary reserves therefor: *Provided*, That except for such necessary reserves, the unobligated balances of rentals so deposited into the Treasury shall be covered at the end of each fiscal year into miscellaneous receipts.

61 Stat. 584.
40 U. S. C., Supp. I, §§ 1 note, 129.
Rentals.

47 Stat. 412.

Approved June 24, 1948.

[CHAPTER 627]

AN ACT

June 24, 1948
[H. R. 239]
[Public Law 761]

To further perfect the consolidation of the Lighthouse Service with the Coast Guard.

Lighthouse Service.
Consolidation with Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard, of certain officers and employees of the Lighthouse Service, and for other purposes", approved August 5, 1939, is amended by inserting before the period at the end thereof the following: "; and, after the first day of the month following enactment hereof, in computing longevity, for the purpose of pay in the Coast Guard, of any person commissioned, appointed, or enlisted under the provisions of this Act, there shall be included all service of such person in the Lighthouse Service".

53 Stat. 1217.
14 U. S. C. § 180.

Approved June 24, 1948.

[CHAPTER 628]

AN ACT

To provide pensions for certain widows of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

June 24, 1948
[H. R. 4962]
[Public Law 762]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dependent unremarried widow of a veteran of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who is barred from the receipt of pension because her marriage to the veteran occurred subsequent to December 31, 1937, but who is otherwise entitled to such pension under the Act of May 1, 1926 (44 Stat. 382; 38 U. S. C., 364a), as reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C., 368), shall be entitled to pension in her own right under said Act, as amended, under the conditions specified therein (except date of marriage) and at the rate authorized by section 4 of the Act of August 7, 1946 (Public Law 611, Seventy-ninth Congress), as amended by the Act of July 30, 1947 (Public Law 270, Eightieth Congress), and to the additional pension provided for children under the Act of May 1, 1926, as amended, provided she married the veteran ten or more years prior to his death and lived with him continuously from the date of marriage to the date of his death except where there was a separation which was due to misconduct of or procured by the veteran without the fault of the widow: *Provided*, That if pension has been granted to a child or children of the veteran, the widow shall not be entitled to the pension authorized by this section until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow by this Act, then the difference between said amounts will be paid to the widow: *Provided further*, That no pension shall be payable under this section to a widow under sixty years of age.

Veterans of Spanish-American War.
Pensions to certain widows.

38 U. S. C., Supp. I, § 368 note.

60 Stat. 864.
38 U. S. C. § 364g-1.
61 Stat. 610.
38 U. S. C., Supp. I, §§ 370f, 276 and notes.

Pension to child.

Age limitation.

SEC. 2. Payment of pension as provided in section 1 shall be effective as of the date of the death of the veteran, if application is filed within one year after the death of such veteran, otherwise as of the date of receipt of application in the Veterans' Administration, and in no event prior to the date of the enactment of this Act. Pension under section 1 hereof shall not be paid to the widow of a veteran of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who has remarried either once or more than once since the death of the veteran, and upon the remarriage of such widow her pension shall be terminated. The penal and forfeiture provisions of laws and regulations administered by the Veterans' Administration providing pensions for veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, shall be applicable to the provisions of this Act.

Approved June 24, 1948.

Effective date of pension.

Remarriage of widow.

[CHAPTER 629]

AN ACT

To authorize the attendance of the United States Marine Corps Band at the national assembly of the Marine Corps League to be held at Milwaukee, Wisconsin, September 22 to September 25, inclusive, 1948.

June 24, 1948
[H. R. 5036]
[Public Law 763]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the national assembly of the Marine

U. S. Marine Corps Band.
Attendance at national assembly of Marine Corps League.

Corps League to be held in Milwaukee, Wisconsin, from September 22 to September 25, inclusive, 1948.

Appropriation authorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such assembly, there is authorized to be appropriated the sum of $8,901, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $6 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Approved June 24, 1948.

[CHAPTER 630]

AN ACT

June 24, 1948
[H. R. 5936]
[Public Law 764]

To provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes.

Chickamauga and Chattanooga National Military Park. Additional land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective upon publication of notice, as hereinafter provided, there shall be added to the Chickamauga and Chattanooga National Military Park, a strip of land, comprising not more than one hundred acres, lying generally north of the present south line of Fort Oglethorpe and westward from the southeast corner thereof. The exact boundaries of the area added to the park shall be agreed upon by the Administrator, War Assets Administration, and the Director of the National Park Service.

When the boundaries of the aforesaid area have been agreed upon, the War Assets Administration shall furnish to the National Park Service a legal description of the lands to be added to the park, together with a map showing the boundaries and the acreage of the area.

Publication in Federal Register.

Upon the receipt by the National Park Service of such legal description and map of the area, public notice that such lands are to become a part of the Chickamauga and Chattanooga National Military Park, effective on the date of publication of such notice, shall be given in the Federal Register.

Approved June 24, 1948.

[CHAPTER 631]

AN ACT

June 24, 1948
[H. R. 6318]
[Public Law 765]

To amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone.

Standard Time Act, amendment. Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918, as amended (U. S. C., 1940 edition, title 15, sec. 264), which provides for placing a certain portion of the State of Idaho in the third time zone is hereby amended by striking out the period at the end thereof and inserting a colon and the following: "*Provided*, That common carriers within such portion of the State of Idaho may conduct their operations on Pacific time."

42 Stat. 1434.

Effective date.

SEC. 2. This Act shall take effect at 2 o'clock antemeridian of the second Monday following the date of its enactment.

Approved June 24, 1948.

[CHAPTER 632]

AN ACT

June 24, 1948
[H. R. 6771]
[Public Law 766]

Making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1949, for military functions administered by the National Military Establishment, and for other purposes, namely:

Military Functions Appropriation Act, 1949.

NATIONAL MILITARY ESTABLISHMENT—MILITARY FUNCTIONS

OFFICE OF THE SECRETARY OF DEFENSE

Salaries and expenses: For expenses necessary for the Office of the Secretary of Defense, the War Council, the Joint Chiefs of Staff and the Joint Staff, the Munitions Board, and the Research and Development Board, including personal services in the District of Columbia and employment of aliens; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $50 per diem; expenses of attendance at meetings of organizations concerned with the work of the National Military Establishment when specifically authorized by the head of the organizational unit concerned; printing and binding; purchase (not to exceed seven, including one at not to exceed $3,000) and hire of passenger motor vehicles; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and not to exceed $25,000 for emergency and extraordinary expenses, to be expended under the direction of the Secretary of Defense for such purposes as he deems proper, and his determination thereon shall be final and conclusive; $6,800,000: *Provided*, That notwithstanding the limitation contained in section 303 (a) of the National Security Act of 1947 (Public Law 253, approved July 26, 1947), members of advisory committees and part-time advisory personnel may be appointed by the Secretary of Defense at rates for individuals not exceeding $50 per diem: *Provided further*, That not to exceed six positions in the professional and scientific service which the Secretaries of the Departments of the Army and the Navy are authorized to establish under the Act of August 1, 1947 (Public Law 313), may be made available to the Secretary of Defense and the funds appropriated herein shall be available for the payment of the compensation fixed for those positions: *Provided further*, That the accounts of advances for the several Departments of the National Military Establishment may be utilized in expending amounts herein or hereafter appropriated under this title: *Provided further*, That, during the fiscal year 1949, such amounts as may be necessary may be transferred from any appropriations for the Departments of the Air Force, the Army, and the Navy, to this appropriation for expenses for a cataloging program, a specifications program, and a common standards program.

60 Stat. 810.

60 Stat. 843.
Post, p. 1008.

61 Stat. 507.
50 U. S. C., Supp. I, § 405 (a).

Professional and scientific service.

61 Stat. 715.
5 U. S. C., Supp. I, §§ 230–232, 476–476b.
Ante, p. 604.

Transfer of funds.

Not to exceed $30,000 of the unexpended balances of funds transferred to the Office of the Secretary of Defense from the appropriation for "Salaries and expenses" of the Office of Scientific Research and Development in the National War Agencies Appropriation Act, 1946, shall remain available during the fiscal year 1949 for the liquidation of obligations incurred prior to July 1, 1946.

Liquidation of obligations.

59 Stat. 475.

NATIONAL SECURITY COUNCIL

Salaries and expenses: For expenses necessary for the National Security Council, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates not in excess of $50 per diem for individuals; printing and binding; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); acceptance and utilization of voluntary and uncompensated services; expenses of attendance at meetings concerned with work related to the activity of the Council; purchase of one passenger motor vehicle at a cost not to exceed $1,400; $200,000.

60 Stat. 810.

60 Stat. 843.
Post, p. 1008.

NATIONAL SECURITY RESOURCES BOARD

Salaries and expenses: For expenses necessary for the National Security Resources Board, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $50 per diem; expenses of attendance at meetings of organizations concerned with the work of the National Security Resources Board; printing and binding; the services of domestic and foreign organizations by contract without regard to section 3709, Revised Statutes, as amended; purchase (including one at not to exceed $3,000) and hire of passenger motor vehicles; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); a health service program as authorized by law (5 U. S. C. 150); and not to exceed $10,000 for emergency and extraordinary expenses, to be expended under the direction of the Chairman for such purposes as he deems proper, and his determination thereon shall be final and conclusive; $3,000,000: *Provided*, That notwithstanding the limitation contained in section 303 (a) of the National Security Act of 1947 (Public Law 253, approved July 26, 1947) members of advisory committees and part-time advisory personnel may be appointed by the Chairman of the Board at rates for individuals not exceeding $50 per diem.

60 Stat. 810.

41 U. S. C. § 5.

60 Stat. 843.
Post, p. 1008.
60 Stat. 903.

61 Stat. 507.
50 U. S. C., Supp. I, § 405 (a).

DEPARTMENT OF THE AIR FORCE

UNITED STATES AIR FORCE

General expenses: For expenses necessary for the maintenance and operation of aircraft, including spare parts, equipment, and accessories therefor, and the maintenance and operation of Air Force facilities, including field printing plants; experimental investigations, including medical and meteorological investigations; purchase and development of new types of aircraft, aviation engines, spare parts and equipment, and the maintenance and operation of plants for testing and experimental work; making, procuring, and processing photographs and motion pictures, aerial maps and charts; air crew, air rescue and fire-fighting equipment; purchase, manufacture, and issue of special clothing, and similar equipment; marking of airways where the purchase of land is not involved; travel of Air Force and civilian personnel in connection with the administration of Air Force appropriations; procuring, maintaining, and conducting, at aviation and other schools, instruction for Air Force personnel, including tuition, equipment, supplies, and related expenses; personal services at the seat of Government and elsewhere; special services, including the salvaging of wrecked aircraft; printing and binding; payment of claims resulting from the operation of aircraft as provided for in the Act of July 3, 1943 (31 U. S. C. 223b), and pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and expenses, not

Printing plants.

Development of new types of aircraft.

Marking of airways.

Travel expenses.

Salvage of wrecked aircraft.

Payment of claims.

57 Stat. 372.

60 Stat. 843.
Post, p. 1008.

otherwise provided for, in connection with the administration of this appropriation; $889,486,000: *Provided*, That not to exceed $298,000,000 of the appropriation "Air Corps, Army", fiscal years 1942–1946, shall remain available until June 30, 1949, for payment of obligations incurred under contracts executed thereunder prior to July 1, 1946: *Provided further*, That the net amount of this appropriation used for personal services shall not exceed $305,000,000 and such amount shall not be applied to other use: *And provided further*, That the foregoing limitations shall not apply to personnel required to perform necessary work in connection with research and development; in cases where satisfactory bids cannot be obtained from competent contractors; or to the performance of work incident to the modification or modernization of aircraft or to the removal of aircraft from storage.

Payment of obligations.

Personal services, restriction.

DEPARTMENTAL SALARIES

For compensation for personal services in the Department of the Air Force proper, as follows:

SALARIES, OFFICE OF THE SECRETARY OF THE AIR FORCE

Office of Secretary of the Air Force: Secretary of the Air Force, Under Secretary of the Air Force, Assistant Secretaries of the Air Force, and other personal services, $825,000.

Office of Chief of Staff: Office of Chief of Staff, United States Air Force, $6,500,000.

DEPARTMENT OF THE ARMY

OFFICE OF THE SECRETARY OF THE ARMY

CONTINGENCIES OF THE ARMY

For emergencies and extraordinary expenses arising in the Department of the Army of any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, including personal services; the actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary of the Army, of military and civilian personnel in and under the Department of the Army on special duty in foreign countries; and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of the Army, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government and payments from this appropriation may, in the discretion of the Secretary of the Army, be made on his certificate that the expenditures were necessary for confidential military purposes; $32,900,000.

Special duty in foreign countries.

GENERAL STAFF CORPS

FIELD EXERCISES

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, troop movements and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance and operation of structures and utilities, rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other

Participation by National Guard, etc.

Rental of land, etc.

31 U. S. C. § 529.

requisite supplies and services, and for settlement of claims resulting from such exercises, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), as amended, and under section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $9,000,000.

57 Stat. 372.
60 Stat. 842.
Post, p. 1008.

NATIONAL WAR COLLEGE

For expenses, not otherwise provided for, of the National War College, including the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers; maps, police utensils; expenses of special lectures; contingencies for the Commandant of the National War College to be expended in his discretion (not exceeding $1,000); purchase, repair, and cleaning of uniforms for guards; pay of employees; $299,000.

INTER-AMERICAN RELATIONS, DEPARTMENT OF THE ARMY

For expenses necessary to enable the Secretary of the Army to adopt such measures, appropriate to the functions and activities of the Department of the Army, as he may deem advisable, to promote better relations with the other American countries, including transportation and subsistence expenses, while traveling in the Western Hemisphere, of Army officers and military students of the other American countries and Army officers of the United States, $750,000.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Reserve and National Guard officers.

Pay of the Army: For pay and allowances of the Army of the United States, including pay of Reserve officers and officers of the National Guard of the United States ordered to active duty under the provisions of section 37a and the fourth paragraph of section 38 of the National Defense Act, as amended; pay of civilian employees at military headquarters; allowances for quarters for enlisted men on duty where public quarters are not available; interest on soldiers' deposits; payment of life insurance premiums authorized by law; payment of exchange fees and exchange losses incurred by disbursing officers or their agents; repayment of amounts determined by the Secretary of the Army, or officers designated by him, to have been erroneously collected from military and civilian personnel in and under the Department of the Army; and losses in the accounts of Army disbursing officers in accordance with the Acts of December 13, 1944 (31 U. S. C. 95a), December 23, 1944 (50 U. S. C. 1705–1707), and July 26, 1947 (Public Law 248); $2,314,342,000, of which $5,000,000 shall be immediately available, and which shall also be available to pay mustering-out payments, as authorized by the "Mustering-Out Payment Act of 1944", as amended (38 U. S. C. 691–691g), to persons who were or may be denied such payments because they were discharged from the Army to enter the United States Military Academy or the United States Naval Academy and subsequently were discharged from either academy because of physical disability: *Provided*, That the appropriations contained in this Act shall not be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $720 per annum, which shall be the legal maximum rate as to such officers, and such nonflying officers shall be entitled to such rate of increase by performing three or more flights within each ninety-day period, pursuant to orders of competent authority, without regard to the duration of such flight or flights: *Provided further*, That, after June 30, 1948, a flying officer as defined under existing law shall include flight surgeons, and commissioned officers or warrant officers while undergoing flying training: *Provided further*, That section 212 of the Act of June 30, 1932 (5 U. S. C. 59a), shall not apply

41 Stat. 776; 49 Stat. 391.
10 U. S. C. §§ 361, 364, 369; 32 U. S. C. § 81c.
Ante, p. 87.

Repayment of amounts erroneously collected.

58 Stat. 800, 921.
50 U. S. C. app. §§ 1705–1707.
61 Stat. 493.
31 U. S. C., Supp. I, § 95a note.

58 Stat. 8.
38 U. S. C., Supp. I, § 691a.
Ante, p. 241.

Aerial flights by nonflying officers.

"Flying officer."

47 Stat. 406.

to retired military personnel on duty at the United States Soldiers' Home: *Provided further*, That during the fiscal year ending June 30, 1949, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That provisions of law prohibiting the payment of any person not a citizen of the United States shall not apply to military and civilian personnel in and under the Department of the Army: *Provided further*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That no collection or reclamation shall be made by the United States on account of any money paid to assignees, transferees, or allottees, or to others for them, under assignments, transfers, or allotments of pay and allowances made under authority of law where liability might exist with respect to such assignments, transfers, or allotments, or the use of such moneys, because of the death of the assignor, transferor, or allotter.

35 Stat. 108.
10 U. S. C., Supp. I, § 803 note.
Citizenship.

Use of receipts from sales, etc.

Reclamation of certain payments, restriction.

Appropriations available to the Department of the Army for the fiscal year 1949 shall be available for reimbursement to such appropriations of the Department of the Navy as may be designated by the Secretary of the Navy, for the pay, allowances, and other expenses as authorized by law, for such number of naval dental officers as may be authorized by the President to perform service with the Department of the Army: *Provided*, That such military and naval personnel, as may be detailed for duty with other than the Departments of the Army and Navy, respectively, on a reimbursement basis may be employed in addition to the numbers otherwise authorized and appropriated for.

Naval dental officers.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Department of the Army, any war materials or supplies.

Retired officers engaged in selling supplies to Army.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the Department of the Army: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of the Army;

Officers, etc., engaged with certain service publications.

Travel of the Army: For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the Department of the Army, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers, contract surgeons, and others whose rank, pay and allowances are assimilated to officers; transportation of troops; transportation, or reimbursement therefor, of cadets, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of civilian and military personnel; travel pay to dis-

Travel allowances, etc.

charged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service; transportation of persons discharged other than honorably; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to civilian employees and civilian witnesses before courts martial; for rental of camp sites and the local procurement of communication service, fuel, light, water service, and other necessary supplies and services incident to individual or troop movements, including transportation of organizational equipment and impedimenta; and for transportation of authorized baggage of military and civilian personnel, including packing and unpacking; $145,000,000: *Provided*, That other appropriations for the Department of the Army shall be charged with such amounts as may be required for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the Department of the Army, except the appropriation "Contingencies of the Army" and the appropriations for Engineer Service, Army, the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field Exercises", "Inter-American Relations, Department of the Army", and "United States Air Force": *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed $75,000 of the appropriations available to the Department of the Army chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Army, such attendance would be of benefit in the conduct of the work of the Department of the Army: *Provided further*, That appropriations available for travel of personnel of the Department of the Army or employees under the Department of the Army which are current at the date of relief from duty station of such personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling;

Travel charges against other appropriations.

Ante, pp. 649, 650; *post*, pp. 658, 661, 662, 663, 665.

Attendance at meetings.

39 Stat. 199.
32 U. S. C. §§ 21, 22, 49.

Personnel traveling under orders.

Personnel outside U. S.
Moving of dependents and effects.

During the fiscal year 1949 the dependents and household effects of such military and civilian personnel (without regard to rank or grade) in and under the Department of the Army on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of the Army, may, prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such military personnel from active military service, be moved (including packing and unpacking of household effects) from such stations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Department of the Army

available for travel and transportation may be used for this purpose, the decision of the Secretary of the Army to be final as to the dependency of any individual sought to be affected by this provision except as to travel performed subsequent to arrival in the United States;

Expenses of courts martial: For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, $100,000;

Apprehension of deserters: For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than $25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of the Army, be paid to any civil officer or citizen for such services and expenses; for expenses incident to confinement of military prisoners in nonmilitary facilities; for a donation of $10 to each civilian prisoner discharged from an Army prison and each soldier discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge; and for a donation of not to exceed $10 to each person discharged for fraudulent enlistment as authorized by law, $200,000;

Dishonorable discharge.

Discharge for fraudulent enlistment.

Finance service: For compensation of clerks and other employees of the Finance Department, $28,500,000;

Claims for damage to or loss or destruction of property, or personal injury, or death: For payment of claims under the Act approved July 3, 1943 (31 U. S. C. 223b), as amended, and under section 403 of the Federal Tort Claims Act (28 U. S. C. 921), not otherwise provided for, $3,500,000;

57 Stat. 372.

60 Stat. 843. *Post*, p. 1008.

Claims of military and civilian personnel of the Department of the Army for destruction of private property: For the payment of claims for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of the Military Personnel Claims Act of 1945, $2,000,000;

59 Stat. 225. 31 U. S. C. §§ 222c, 222d, 223b.

In all, Finance Service, Army, $2,493,642,000 to be accounted for as one fund.

RETIRED PAY, ARMY

Retired pay, Army: For pay, as authorized by law and not otherwise provided for, of military personnel, including nurses, on the retired list of the Army; $84,000,000.

QUARTERMASTER CORPS

QUARTERMASTER SERVICE, ARMY

Welfare of enlisted men: For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, including expenses for the entertainment and instruction of enlisted personnel, $8,250,000: *Provided*, That this appropriation shall be available for the instruction of officers on the same basis as enlisted men: *Provided further*, That no appropriation contained in this Act shall be available for payment to or expenditure on account of any civilian personnel employed outside continental United States to paint or otherwise reproduce war scenes except by means of photography, or to paint

Recreational facilities, etc.

Instruction of officers.

Painting, etc., of war scenes or portraits.

portraits, or for payment to or expenditure on account of any military personnel within continental United States who engage in decorative art projects or painting portraits to the exclusion of regular military duties;

Purchase of subsistence supplies.

Subsistence of the Army: For purchase of subsistence supplies for issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and for cooling drinking water at such places as the Secretary of the Army may determine, and for preservation of stores; subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army; payment of the regulation allowances of commutation in lieu of rations to enlisted men on furlough and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty; payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for subsistence of supernumeraries necessitated by emergent military circumstances; prizes to be established by the Secretary of the Army for enlisted men of the Army who graduate from the Army schools for bakers and cooks; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $500,000,000: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of the Army shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Army Transport Service.

Sales to officers, etc.

Allowances.

Prizes.

Butter substitutes.

Procurement of food or clothing not produced in U. S.

Payment of subsidies.

Regular supplies of the Army: For supplies, services, and other expenses, not otherwise provided for, incident to the design, development, procurement, manufacture, care, protection, alteration, repair, maintenance, installation, storage, and issue of Quartermaster Corps supplies, materials, and equipment (exclusive of fixed installations in buildings otherwise provided for), including petroleum and other products, market reports and personal services; for supplies and equipment for troops and general service schools; for operation of field printing plants not otherwise provided for and contract printing and binding; for purchase, subsistence, and care of animals required in connection with Army training and other activities; for straw for soldiers' bedding; for expenses incident to raising and harvesting forage on military reservations, including, when specifically author-

ized by the Secretary of the Army, the cost of irrigation; $100,000,000;

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary, including laundry work for enlisted men while patients in a hospital; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including animal-drawn passenger-carrying vehicles, authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessaries; for a suit of citizens' outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each person discharged from an Army prison, each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons; $210,000,000, and in addition to this appropriation the Secretary of the Army may, prior to July 1, 1949, enter into contracts in an amount not in excess of $25,000,000;

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for maintenance of Quartermaster branch depots, including utilities; for tests and experimental and development work and scientific research, not otherwise provided for, including that to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments; for supplies, services, and other expenses essential in conducting instruction of the Army in tactical or special activities and in the operation of Arm and Service Boards not otherwise provided for; for burial of the dead as authorized by Acts of May 17, 1938 (10 U. S. C. 916–916d), and July 8, 1940 (5 U. S. C. 103a), including remains of personnel of the Army of the United States who die while on active duty, including travel allowances of attendants accompanying remains, communication service, transportation of remains, and acquisition by lease or otherwise of temporary burial sites; $113,000,000;

Recruiting.

Tests, research, etc.

Burial expenses.
52 Stat. 398.
54 Stat. 743.

In all, Quartermaster Service, Army, $931,250,000, to be disbursed and accounted for as one fund.

TRANSPORTATION CORPS

TRANSPORTATION SERVICE, ARMY

For expenses necessary for the transportation of Army supplies, equipment, funds of the Army, including packing, crating, and unpacking; maintenance and operation of transportation facilities and installations, including the purchase, construction, alteration, operation, lease, repair, development, and maintenance of and research in transportation equipment, including boats, vessels, and railroad equipment; personal services in the District of Columbia; procurement of supplies and equipment; printing and binding; communication service; maps, wharfage, tolls, ferriage, drayage, and cartage; premiums and indemnification for risks insured pursuant to the Act of April 11, 1942 (46 U. S. C. 1128–1128g); conducting instruction in Army transportation activities; transportation on Government vessels of privately owned automobiles of Army personnel upon change of station; $412,000,000: *Provided*, That during the fiscal year 1949 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured: *Provided further*, That vessels under the jurisdiction of the Maritime Commission, the Department of the Army, or the Department of the Navy, may be transferred or otherwise made available without reimbursement to any of such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

56 Stat. 214.
46 U. S. C., Supp. I, §§ 1128–1128e.

Charges against other appropriations.

Transfer of vessels.

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus in the District of Columbia, and toll messages pertaining to the office of the Secretary of the Army or the Secretary of the Air Force; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational

Telegraph, etc., systems.

Vehicles.

Telephone apparatus.

Telegraph lines.

Electrical installations.

Salaries of civilian employees.

schools; supplies, general repairs, reserve supplies, and other expenses connected with the collection and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses, not otherwise provided for, incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof; and in addition to this appropriation the Secretary may, prior to July 1, 1949, enter into contracts in an amount not in excess of $50,000,000; $153,000,000, of which $5,000,000 is for liquidation of obligations incurred pursuant to authority granted under this head in the Military Appropriation Act, 1948: *Provided*, That the sum of $8,900,000 of the appropriation "Signal Service of the Army", 1942–1946, shall remain available until June 30, 1949, for the payment of obligations incurred under contracts executed thereunder prior to July 1, 1946.

Experimental investigation.

Aircraft warning service systems.

Liquidation of obligations.

61 Stat. 559.

MEDICAL DEPARTMENT

MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about military posts in the Canal Zone; operation of the Army Medical Library and Museum under the direct supervision of the Surgeon General; purchase of veterinary supplies and hire of veterinary surgeons; expenses of medical supply depots and maintenance of branch depots; medical care and treatment of patients when entitled thereto by law, regulation, or contract, including their care, treatment, and subsistence in private hospitals, whether on duty or on furlough or on leave of absence except when elective medical treatment has been obtained by such personnel in civilian hospitals or from civilian physicians or dentists; medical care and treatment of authorized personnel of any country whose defense the President deems vital to the defense of the United States when such care and treatment cannot be obtained from medical units of their own country; care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages, not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of patients, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of the Army; pay of internes; pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; pay of other employees of the Medical Department; payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; supply of Army and Navy Hospital

Supplies.

Care and treatment of patients.

Epidemic and contagious diseases.

Nurses, cooks, and other civilians.

Internes.

Civilian physicians.

Army and Navy Hospital, Hot Springs, Ark.

at Hot Springs, Arkansas; advertising, and other necessary miscellaneous expenses of the Medical Department; $75,126,163.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Equipment, instruments, etc.

Engineer School.

Maps, etc.

Military and training operations.

Railroad construction.

Construction of buildings, etc.

Water systems, etc.

Engineer Service: For the design, development, procurement, manufacture, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools and machinery required in the equipment and training of troops and in military operations, including military surveys; operation and maintenance of the Engineer School, including compensation of civilian lecturers, and purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; procurement, preparation, and reproduction of maps and similar data for military purposes; expenses incident to the Engineer Service in military and training operations, including military surveys, and including research and development of improved methods in such operations, rental of storehouses and grounds, and repair and alteration of buildings, including heat, light, power, water, and communication service, not otherwise provided for and expenses of railroad construction, including purchase or lease of equipment and materials, and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof; $166,000,000, of which $2,000,000 is for liquidation of obligations incurred pursuant to authority granted under this head in the Military Appropriation Act, 1948: *Provided*, That not to exceed $6,422,000 of this appropriation shall be available for construction of buildings, utilities, and facilities: *Provided further*, That not to exceed $250,000 of this appropriation shall be available for the rehabilitation of the water-treatment plant pipe line from Camp Haan, California, to the water distribution system, March Field, California, and for additional maintenance and operation costs of the pumping station, Lake Matthews, California, and the water filtration plant, Camp Haan, California.

32 Stat. 282.

Fort Monroe Military Reservation, Va.

Construction costs, limitation.

Barracks and quarters, Army: For expenses necessary for the maintenance, installation, repair, operation, protection, and rental of buildings, structures, grounds, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use including the procurement of supplies, equipment, fuel, printing, binding, communication services, at the seat of government and elsewhere; manufacture, procurement, purchase, storage, issue, and transportation (including research, planning, design, development, inspection, tests, and the handling) of water, gas, electricity, fuel, tools, machinery, and equipment; construction of additions and extensions to and alterations, improvements, and rehabilitations of existing facilities; the furnishing of heat and light for buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings on military reservations, authorized by Department of the Army regulations to be used for a similar purpose; and expenses of packing and crating and unpacking and uncrating of equipment, material, supplies, baggage, and goods not otherwise provided for, $263,000,000: *Provided*, That the amounts to be assessed and collected from nonmilitary interests on the Fort Monroe Military Reservation, Virginia, for expenditure in the maintenance, repair, and operation of wharves, roads, sewerage systems, and other utilities at said reservation shall be fixed by the Secretary of the Army during the fiscal year ending June 30, 1949, in proportion to the service rendered to such nonmilitary interests: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent

nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $15; Stabling.

In all, Engineer Service, Army, $429,000,000, to be accounted for as one fund: *Provided*, That the sum of $20,000,000 of the appropriation Engineer Service, Army, fiscal years 1942–1946, shall remain available until June 30, 1949, for the payment of obligations incurred under contracts executed thereunder prior to July 1, 1946. Payment of obligations.

Military construction, Army: For construction, installations, and equipment of temporary or permanent public works, military installations and facilities, as authorized by the Act of June 12, 1948 (Public Law 626), without regard to sections 1136 and 3734, Revised Statutes, as amended, including hire of passenger motor vehicles; payment of claims under the Act of July 3, 1943 (31 U. S. C. 223b), and pursuant to section 403 of the Federal Tort Claims Act of August 2, 1946 (28 U. S. C. 921); $76,000,000, to be immediately available and to remain available until expended, including not to exceed $205,000 for the purchase, development, or construction in connection with, land adjacent to the Percy Jones Hospital, Michigan; and in addition, the Secretary of the Army is authorized to enter into contracts for the purposes of this appropriation in an amount not to exceed $75,000,000: *Provided*, That the funds made available in this paragraph by appropriation and contract authorization shall not be subject to section 10 of this Act.

Ante, p. 375.

10 U. S. C. § 1339; 40 U. S. C. §§ 259, 267.

Ante, p. 381.

57 Stat. 372.

60 Stat. 843.

Post, p. 1008.

Percy Jones Hospital, Mich.

Post, p. 669.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; instruction, training, and other incidental expenses of the ordnance service; purchase (for replacement only) and hire of passenger motor vehicles; ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; publications for libraries of the Ordnance Department, including the Ordnance Office: *Provided*, That, notwithstanding the provisions of any other law not more than $25,000,000 of the amounts received by the Department of the Army during the fiscal year 1949 as proceeds from the sale of scrap or salvage material shall be available for expenses of transportation, demilitarization, and other preparation for sale or salvage of military supplies, equipment, and matériel: *Provided further*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Appropriation Committees of the Congress; $610,000,000, of which $2,000,000 is for liquidation of obligations incurred pursuant to authority granted under this head in the Military Appropriation Act, 1948, and in addition to this appropriation the Secretary of the Army may, prior to July 1, 1949, enter into contracts in an amount not in excess of $70,000,000: *Provided*, That the sum of $10,000,000 of the appropriation "Ordnance Service and Supplies, Army", 1942–1946, shall remain available until June 30, 1949, for the payment of obligations incurred under contracts executed thereunder prior to July 1, 1946.

Vehicles.

Publications.

Sale of scrap or salvage material.

Report of receipts and disbursements.

61 Stat. 562.

Payment of obligations.

CHEMICAL CORPS

CHEMICAL SERVICE, ARMY

Chemical agents, etc.

Construction of buildings, etc.

Special gas troops.

Chemical Corps activities.

For purchase, manufacture, and test of chemical agents and toxic substances, incendiary materials and munitions, gas masks, or other offensive or defensive materials or appliances required for chemical purposes, investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and computing machines including their exchange, office furniture, tools, and instruments; incidental expenses; civilian employees; libraries of the Chemical Corps; expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in Chemical Corps activities, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges; $26,000,000.

ARMY FIELD FORCES

TRAINING AND OPERATION, ARMY FIELD FORCES

For miscellaneous supplies, material, equipment, personal and other services, tuition and other incidental expenses essential in conducting instruction in Army Field Forces and related activities at Army Field Forces service schools and elsewhere and for operation of Army Field Forces Headquarters, subordinate commands, installations, and boards, not otherwise provided for, $4,000,000.

COMMAND AND GENERAL STAFF COLLEGE

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; expenses of special lectures; and for other necessary expenses of instruction, at the Command and General Staff College, Fort Leavenworth, Kansas; $425,000.

UNITED STATES MILITARY ACADEMY

PAY OF MILITARY ACADEMY

Army officers on detail, pay restriction.

Retired officer as librarian.

10 U. S. C. § 933.

Cadets: For pay of cadets, $2,100,000: *Provided*, That during the fiscal year ending June 30, 1949, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of

instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; for commutation of rations for civilians employed at cadet mess in the same amount as deducted from each civilian's pay for said rations; maintenance of children's school (not exceeding $12,200); contingencies for Superintendent of the Military Academy (not exceeding $5,200) and for the Commandant of Cadets (not exceeding $1,200), to be expended in their respective discretions; expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the Academy and repair and maintenance thereof; fuel for heat, light, and power; pay of employees; and other necessary incidental expenses in the discretion of the superintendent; in all, $5,440,000: *Provided*, That not to exceed $3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the Treasurer of the United States Military Academy.

Contingent fund.

Liquidation of indebtedness of certain cadets.

NATIONAL GUARD

Training, etc.

For expenses necessary for equipping, maintaining, operating, and training the National Guard, including expenses of camps, airfields, storage facilities and alterations and additions to present structures, transportation and erection of temporary structures, either on Government-owned or State-owned land, or on land made available by lease or loan from any political subdivision of a State or any individual, corporation, or organization for a period of not less than ten years, construction and maintenance of buildings, structures, rifle ranges, and facilities, the purchase (not to exceed one hundred) and hire of passenger motor vehicles for official use only, and the modification, repair, maintenance and operation of airplanes; transportation of things; personal services at the seat of government or elsewhere (including services of personnel of the National Guard employed as civilians, without regard to their military rank) necessary for the care, maintenance, modification and repair of materials and equipment, for Federal property and custodial accounting work, and for administrative and such other duties as may be required; medical and hospital treatment of members of the National Guard who suffer injury or contract disease in line of duty and other expenses connected therewith as authorized by the Act of June 15, 1936 (10 U. S. C. 455); pay at a rate not less than $2,400 per annum and travel of property and disbursing officers for the United States; attendance of National Guard personnel at military service schools and expenses of enlisted men of the Regular Army on duty with the National Guard, including allowances for quarters and susbsistence; drill pay of the National Guard; travel of personnel of the Regular Army detailed to or on duty with the National Guard, including mileage, transportation of dependents, and transportation, packing, crating and unpacking of household goods and effects; procurement and issue to the National Guard of the several States, Territories and the District of Columbia of military equipment and supplies, as provided by law, including motor-propelled vehicles

49 Stat. 1507.

Attendance at military service schools.

and airplanes, and repair and modification of such equipment and supplies; $290,000,000, of which $15,000,000 is for liquidation of obligations incurred pursuant to authority granted under this head in the Military Appropriation Act, 1948: *Provided*, That the Secretary of the Army is hereby authorized to issue to the National Guard without charge against this appropriation except for actual expenses incident to such issue, supplies and equipment from surplus or excess supplies or equipment purchased for the Army: *Provided further*, That the number of caretakers authorized to be employed for any one unit, pool, or heavier-than-air squadron under the provisions of section 90 of the National Defense Act of June 3, 1916, as amended, may be such as is deemed necessary by the Secretary of the Army: *Provided further*, That not to exceed $25,500 of this appropriation shall be available for the settlement of claims (not exceeding $500 in any one case) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while en route thereto or therefrom.

61 Stat. 564.
Surplus supplies of Army.

Caretakers.

39 Stat. 205.
32 U. S. C. § 42; Supp. I, § 42 note.

Settlement of claims.

No appropriation in this Act shall be available for the pay, allowances or traveling expenses of any officer, warrant officer, or enlisted man of the National Guard for periods of active duty, training, drills, instruction or other duty for which he may be entitled to receive compensation pursuant to the provisions of the Act approved March 25, 1948 (Public Law 460, Eightieth Congress), who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances or traveling expenses of any officer, warrant officer or enlisted man of the National Guard who may waive or relinquish said pension, disability allowance, or disability compensation where such disability is of such degree as not to prevent acceptance for active federal duty for the periods of active duty, field training, instruction or other duty, except drill, for which he may be entitled to receive compensation pursuant to the provisions of the Act approved March 25, 1948 (Public Law 460, Eightieth Congress): *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

Pay and expenses, restriction.

Ante, p. 87.

Ante, p. 87.

Status of adjutants general.

ORGANIZED RESERVES

Officers' Reserve Corps, etc.

For pay and allowances, not otherwise provided for, of members of the Officers' Reserve Corps (including nurses) and Reserve warrant officers on duty in accordance with law; mileage, actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, and transportation of temporary change of station baggage incurred by officers and enlisted men of the Regular Army and Reserve Officers and Reserve warrant officers traveling on duty in connection with the Organized Reserves and for travel of dependents, and transportation of other effects as authorized by law of such personnel ordered to make a permanent change of station for duty in connection with the Organized Reserves; personal services; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks; transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms; establishment, maintenance, and operation of Organized Reserve headquarters, aviation facilities and camps for training of the Organized Reserves; arms, equipment, supplies, and matériel (not otherwise provided for) required to arm and equip Organized Reserve organizations; miscel-

Enlisted Reserve Corps.

laneous expenses incident to the administration of the Organized Reserves; expenses incident to the use, including upkeep costs, of supplies, equipment, and matériel furnished from stocks under the control of the Department of the Army; medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (10 U. S. C. 455), and such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $125,000,000: *Provided*, That $25,000,000 of this appropriation is made contingent upon the enactment into law by the Eightieth Congress of S. 2655 or similar authorization for the voluntary enlistment of persons between the ages of eighteen and nineteen years.

Medical and hospital treatment.

49 Stat. 1507.

Ante, p. 604.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Army of the United States, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, and travel of dependents or reimbursement therefor, as authorized by law, to Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent practicable.

Restriction on use of funds.

No appropriation in this Act shall be available for pay, allowances, or traveling expenses of any officer, warrant officer, or enlisted man of the Organized Reserves for periods of active duty, drills, training, instruction, or other duty for which he may be entitled to receive compensation pursuant to the provisions of the Act approved March 25, 1948 (Public Law 460, Eightieth Congress), who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer, warrant officer, or enlisted man of the Organized Reserves who may waive or relinquish said pension, disability allowance, or disability compensation where such disability is of such degree as not to prevent acceptance for active federal duty for the periods of active duty, field training, instruction, or other duty, except drill, for which he may be entitled to receive compensation pursuant to the provisions of the Act approved March 25, 1948 (Public Law 460, Eightieth Congress).

Restriction on pay and expenses.

Ante, p. 87.

Ante, p. 87.

The pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the Department of the Army by that Administration under existing law.

Medical Reserve Corps.
Pay, etc., of certain officers and nurses.

RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of the Army to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of the Army; transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; purchase of training manuals, including

Supplies, etc.

Training camps.

Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps or other places designated by the Secretary of the Army, and to subsist them while traveling to and from such camps and while remaining therein so far as

Travel allowance.

appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel, or to pay commutation in lieu of subsistence at camps at rates fixed by the Secretary of the Army; expenses incident to the use, including upkeep costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the

Students attending advanced camps.
Senior division of ROTC.
Subsistence.

Department of the Army; pay for students attending advanced camps at the rate authorized by law; payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as

41 Stat. 778.
Medical and hospital treatment.

amended by the Act approved June 4, 1920 (10 U. S. C. 387); medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as author-

10 U. S. C. §§ 451–455d.

ized by the Act of June 15, 1936 (49 Stat. 1507); mileage, traveling expenses, or transportation, for transportation of dependents (including dependents of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, ordered to active duty and upon relief therefrom), and for packing, crating and unpacking, and transportation of baggage (including baggage of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve ordered to active duty and upon relief therefrom) for officers, warrant officers, and enlisted men traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; procurement and issue as

41 Stat. 780.
10 U. S. C. § 1182a.

provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of the Army, to schools and colleges, other than those provided for in section 40 of

41 Stat. 776.
10 U. S. C. § 381.

the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of the same, and the overhauling and repair of articles issued as the Secretary of the Army shall deem necessary for proper military

Surplus supplies, *etc.*, *from* Department of the Army.

training in said schools and colleges; $21,175,000: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or excess stocks of the Department of the Army without payment from this appropriation, except for actual expense incurred

Price.

in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the Department of the Army be in excess

Mounted units.

of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of a greater number of mounted units in the Reserve Officers' Training Corps than were in existence on January

1, 1928: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Restriction on use of other funds.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship; and promotion of practice in the use of rifled arms, for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of the Army; clerical services, including not exceeding $82,000 in the District of Columbia; procurement of materials, supplies, trophies, prizes, badges, services, and such other items as are authorized in section 113, Act of June 3, 1916, and under this head in War Department Appropriation Act of June 7, 1924; conduct of the national matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches and including incidental travel of rifle teams and individuals attending regional, national, and international competitions, including not to exceed $5,000 for Olympic rifle and pistol competitions of the calendar year 1948, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches; mileage at 8 cents per mile for members of the National Board for the Promotion of Rifle Practice when authorized by the Secretary of the Army, any provision of law to the contrary notwithstanding; and maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed $10,500 for incidental expenses in addition to the amount authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of the Army; $175,000: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of the Army, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1949, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1949", nor shall any provision in this Act operate to deprive a Reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1949": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches, and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

Supplies, etc.

39 Stat. 211; 43 Stat. 510.
32 U. S. C. §§ 183, 186, 181.
National matches.

Olympic rifle and pistol competitions.

Mileage for Board members.

Maintenance of Board.

45 Stat. 786.
32 U. S. C. § 181c.
Volunteer competitors or range officers.

Travel and subsistence allowances.

Care, etc., of ranges.

DEPARTMENTAL SALARIES AND EXPENSES

SALARIES, DEPARTMENT OF THE ARMY

For compensation for personal services in the Department of the Army proper, as follows:

Office of Secretary of the Army: Secretary of the Army, Under Secretary of the Army, Assistant Secretaries of the Army, and other personal services, $564,000;

Office of Chief of Staff, $394,000;

Adjutant General's Office, $2,088,000;

Office of the Inspector General, $33,000;

Office of the Judge Advocate General, $134,000;

Office of the Chief of Finance, $609,000;

Office of the Quartermaster General, $831,000;

Office of the Chief Signal Officer, $371,000;

Office of the Surgeon General, $393,000;

Office of Chief of Engineers, $531,000;

Office of Chief of Ordnance, $883,000;

Office of Chief, Chemical Corps, $83,000;

Office of Chief of Chaplains, $7,000;

National Guard Bureau, $104,000;

In all, salaries, Department of the Army, $7,025,000.

Employment of additional personnel.

The Secretary of the Army is authorized to employ additional personnel at the seat of government and to provide out of any appropriations available for the Department of the Army for their salaries, but the amount so used for personal services at the seat of government, other than for field-service employees and employees of other agencies paid from funds transferred thereto from appropriations contained in this Act, shall not exceed $39,000,000; and the net amount so used for field-service employees shall not exceed $628,500,000: *Provided*, That $674,525,000 of such appropriations herein authorized for personal services shall not be applied to other use: *Provided further*, That the Secretary of the Army is authorized to utilize Army employees engaged in carrying on military functions as a whole and to transfer funds for their pay from any appropriation to the appropriation normally charged therewith, whenever required in the interest of efficiency and economy: *Provided further*, That these limitations shall not apply to personnel required (1) in connection with research and development; (2) in manufacturing activities; (3) to overhaul, rebuild, modify, demilitarize and renovate matériel and ammunition; (4) to rehabilitate facilities; (5) to provide transport of personnel and supplies of the armed forces; (6) to perform necessary work in cases where satisfactory bids cannot be obtained from competent contractors or to the use of funds for (a) water transportation of personnel and supplies, or (b) laundry services; and (7) in connection with construction activities.

Restriction on use of funds.

CONTINGENT EXPENSES, DEPARTMENT OF THE ARMY

For miscellaneous expenses at the seat of government, including the purchase of two passenger automobiles at not to exceed $3,000 each, $2,300,000.

PRINTING AND BINDING, DEPARTMENT OF THE ARMY

For printing and binding, except such as may be otherwise provided for in accordance with law, $8,000,000.

GENERAL PROVISIONS—MILITARY FUNCTIONS, DEPARTMENT OF THE ARMY

SEC. 1. The foregoing appropriations for "Quartermaster Service, Army", "Signal Service of the Army", "Department of the Air Force", "Medical and Hospital Department", "Engineer Service, Army",

Ante, pp. 653, 656, 648, 657, 658.

"Ordnance Service and Supplies", and "Chemical Service, Army" shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation.

Ante, pp. 659, 660.

Pay and allowances of Reserve officers on active duty.

SEC. 2. Appropriations for the Department of the Army for the fiscal year 1949 shall be available for carrying out the purposes of Executive Order 9112 of March 26, 1942; for such printing and binding, communication and other services and supplies as may be necessary to carry out the purposes of the Act; for expenses in connection with the administration by the Army of occupied areas; for expenses of conducting investigations in foreign countries incident to matters relating strictly to the Department of the Army, without regard to section 3648, Revised Statutes, including such compensation, expenses, and allowances of witnesses, cost of procuring and transcribing evidence, documents, and testimony, and other miscellaneous and incidental expenses as may be determined by the investigating officer to be necessary and in accord with local custom; for carrying into effect the provisions of the Act entitled "An Act to govern distribution of war trophies and devices", approved July 16, 1946 (5 U. S. C. 207a–i); for actual and necessary expenses or per diem in lieu thereof authorized by section 12 of the Pay Readjustment Act of 1942, as amended; for per diem allowances authorized by section 4 of the Act approved August 2, 1946 (Public Law 600); for providing primary and secondary schooling for dependents of military and civilian personnel residing on military installations in amounts not exceeding $120 per child when the Secretary of the Army finds that the schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; and for health programs authorized by law (5 U. S. C. 150).

Financing war contracts, etc.

50 U. S. C. app. § 611 note.

31 U. S. C. § 529.

60 Stat. 535.

56 Stat. 364.
37 U. S. C. § 112.

60 Stat. 808.
5 U. S. C. § 823 note.

60 Stat. 903.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience under such regulations as the Secretary of the Army may prescribe, to such personnel as are now or may be hereafter authorized by law and regulation to purchase subsistence stores or other Quartermaster supplies and to civilians employed or serving at military posts in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of the Army may broaden the nature of the articles to be sold.

Post exchanges, etc.

Certification on monthly reports.

Isolated posts.

SEC. 4. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned

Canal Zone.
Citizenship requirement.

Employment of Panamanian citizens.
48 U. S. C. § 1307 note.

Limitation on number.

positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1949, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive or supervisory positions.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Wartime or emergency suspension.

Suspension because of housing shortage.

Instruction, etc., of civilian employees.

SEC. 5. Appropriations for the Department of the Army for the fiscal year 1949 shall be available for all necessary expenses in connection with the instruction and training, including tuition, not otherwise provided for, of civilian employees in and under the Department of the Army.

Temporary services by contract.

SEC. 6. Whenever, during the fiscal year ending June 30, 1949, the Secretary of the Army should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the Department of the Army are inadequate, he is hereby authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), which supersedes the provisions of section 5 of the Act of April 6, 1914 (5 U. S. C. 55), at rates not in excess of $50 per day for individuals, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment.

60 Stat. 810.

38 Stat. 335.

Advances of public moneys.

SEC. 7. Section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations, to payments for rent in such countries for such periods as may be necessary to accord with local custom, or to payments made for tuition.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 8. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to

Affidavit.

the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

SEC. 9. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Commissions on land purchase contracts.

SEC. 10. No part of any appropriation contained in this Act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, in continental United States, except in Alaska, for greater amounts per unit than follow:

Construction of quarters, limitation.

Permanent construction:

For commissioned officer, $10,000.

For commissioned warrant or warrant officer, $7,500.

For enlisted man, $6,000.

Temporary construction:

For commissioned officer, $7,500.

For commissioned warrant or warrant officer, $5,000.

For enlisted man, $3,500.

SEC. 11. The Secretary of the Army is authorized to utilize any appropriation available for the Department of the Army, under such regulations as he may prescribe, for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army custody whose status is determined by the Secretary of the Army to be similar to prisoners of war, and persons detained in Army custody pursuant to Presidential proclamation.

Maintenance of prisoners of war, etc.

SEC. 12. The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Gages, dies, jigs, etc.

39 Stat. 213, 215.
50 U. S. C. §§ 80, 78; Supp. I, § 80 note.

SEC. 13. None of the moneys appropriated by this or any other Act shall be available to the Department of the Army for audit work for the purpose of reconciling family allowance pay-roll deductions made by disbursing officers in the field with family allowance payments to dependents of military personnel under the provisions of the Servicemen's Dependents Allowance Act of 1942.

Family allowance, audit work.

56 Stat. 381.
37 U. S. C. §§ 201-221; 50 U. S. C. app. §§ 305, 315.

SEC. 14. During the fiscal year 1949, paid occupancy of the hotel on the grounds of the United States Military Academy on a rental

Allowance for rental of quarters.

56 Stat. 359.
37 U. S. C. §§ 101–120; Supp. I, § 101b *et seq.*
Ante, p. 88.

basis by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942 or by their dependents shall not deprive such personnel of money allowances for rental of quarters.

5 U. S. C. § 947; Supp. I, § 947 note.

SEC. 15. The limitation imposed by section 14 of the Act of May 24, 1946 (60 Stat. 219), with respect to Department of the Army personnel, shall not apply to the Department of the Army with respect to employment of and payment to personnel engaged on orders and work received from and financed by the Navy Department or other Federal agencies if such personnel is charged to a ceiling determination for another agency under 607 (g) (1) of the Federal Employees Pay Act of 1945, as amended, or the National Guard, and Organized Reserves of the Army or to employee personnel engaged in demilitarization of ammunition and matériel.

60 Stat. 219.
5 U. S. C. § 947 (g) (1).

SEC. 16. Provisions of this Act granting authority to the Department of the Army or the Secretary of the Army, or referring to military or civilian personnel of the Department of the Army, shall be applicable to the Department of the Air Force, the Secretary of the Air Force, and military or civilian personnel of the Department of the Air Force with respect to funds allocated or otherwise made available to or for the Department of the Air Force or personnel thereof: *Provided*, That amounts transferred to the Department of the Air Force under section 306 of the National Security Act of 1947 (Public Law 253, approved July 26, 1947), shall be available for personal services at the seat of government without regard to the availability of such funds for that purpose under applicable provisions and restrictions of this Act.

Transfer of funds.

61 Stat. 509.
5 U. S. C., Supp. I, § 626d.

SEC. 17. Funds appropriated for the agencies of the National Military Establishment for the fiscal year 1949 shall be available, contingent upon the enactment into law by the Eighteenth Congress of S. 2655 or similar authorization for the voluntary enlistment of persons between the ages of eighteen and nineteen years, and subject to the approval of the Director of the Bureau of the Budget, for all expenses necessary for and incident to the recruitment and service of such persons, pending and in anticipation of a supplemental appropriation by the Congress to provide funds for such expenses.

Ante, p. 604.

Short title.

SEC. 18. This Act may be cited as the "Military Functions Appropriation Act, 1949".

Approved June 24, 1948.

[CHAPTER 633]

June 24, 1948
[H. R. 6822]
[Public Law 767]

AN ACT

To continue the authorization for the appointment of two additional Assistant Secretaries of State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 8, 1944 (58 Stat. 798), is hereby amended by deleting the words "not to exceed two years" and inserting in lieu thereof, the words "not to exceed three years".

5 U. S. C. § 152 note; Supp. I, § 152 note.

Approved June 24, 1948.

[CHAPTER 636]

June 25, 1948
[H. R. 6641]
[Public Law 768]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, to provide annuities for certain surviving spouses of annuitants retired prior to April 1, 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended

Ante, p. 52.

by inserting after the first sentence thereof a new sentence as follows: "Any such annuitant who died during the period beginning on February 29, 1948, and ending on April 30, 1948, leaving a surviving wife or husband, shall be deemed to have made the election authorized in the foregoing proviso and to have named such wife or husband to receive an annuity as provided in such proviso, but no such annuity shall become due or payable to such wife or husband prior to April 1, 1948."

Annuity for certain surviving spouses.

Approved June 25, 1948.

[CHAPTER 637]

JOINT RESOLUTION

June 25, 1948
[H. J. Res. 433]
[Public Law 769]

Permitting the free entry of certain articles imported to promote international good will, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any articles, including approximately forty-eight railroad cars and incidental equipment, certified by the Secretary of State as being donated in promotion of international good will by the people or Government of the Republic of France for sale for charitable purposes in the United States or for presentation, in the case of the railroad equipment, to noncommercial organizations in the United States may be entered, or withdrawn from warehouse, for consumption free of customs duties, fees, or charges, internal-revenue taxes, and marking or other import requirements or restrictions.

Free imports.

SEC. 2. This Act shall be effective as to articles entered, or withdrawn from warehouse, for consumption on or after the date of its enactment and prior to the close of December 31, 1948.

Effective date.

Approved June 25, 1948.

[CHAPTER 643]

AN ACT

June 25, 1948
[H. R. 4659]
[Public Law 770]

To ratify and confirm amendments to certain contracts for the furnishing of petroleum products to the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contract amendments relating to prices to be paid for petroleum products entered into by any department, agency, or establishment of the executive branch of the Government, in the calendar year 1946 following the removal of price controls on petroleum products, are hereby ratified and confirmed; and such amendments shall be treated as valid in the determination and adjustment of claims by or against the United States under such contracts.

Petroleum products. Validation of certain contract amendments.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the settlement of accounts of accountable officers of the Government of the United States covering payments made under contract amendments which are, and to the extent that such payments are, ratified and confirmed by section 1 hereof.

Credit in accounts.

SEC. 3. Amounts which have been refunded or collected by set-off, or otherwise, from contractors on account of payments made under contract amendments herein ratified and confirmed, are authorized to be repaid to said contractors upon presentation of a claim therefor to the General Accounting Office.

Repayment of amounts to certain contractors.

Approved June 25, 1948.

[CHAPTER 644]

AN ACT

June 25, 1948
[H. R. 6412]
[Public Law 771]

To codify and enact into law Title 3 of the United States Code, entitled "The President".

Title 3, U. S. Code. Codification and enactment into positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title 3 of the United States Code, entitled "The President", is codified and enacted into positive law and may be cited as "3 U. S. C., § ——", as follows:

TITLE 3—THE PRESIDENT

Chap.		Sec.
1.	PRESIDENTIAL ELECTIONS AND VACANCIES	1
2.	OFFICE AND COMPENSATION OF PRESIDENT	101
3.	PROTECTION OF THE PRESIDENT; THE WHITE HOUSE POLICE	201

Infra.
Post, p. 678.
Post, p. 679.

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

Sec.
1. Time of appointing electors.
2. Failure to make choice on prescribed day.
3. Number of electors.
4. Vacancies in electoral college.
5. Determination of controversy as to appointment of electors.
6. Credentials of electors; transmission to Secretary of State and to Congress; public inspection.
7. Meeting and vote of electors.
8. Manner of voting.
9. Certificates of votes for President and Vice President.
10. Sealing and endorsing certificates.
11. Disposition of certificates.
12. Failure of certificates of electors to reach President of Senate or Secretary of State; demand on State for certificate.
13. Same; demand on district judge for certificate.
14. Forfeiture for messenger's neglect of duty.
15. Counting electoral votes in Congress.
16. Same; seats for officers and Members of two Houses in joint meeting.
17. Same; limit of debate in each House.
18. Same; parliamentary procedure at joint meeting.
19. Vacancy in offices of both President and Vice President; officers elegible to act.
20. Resignation or refusal of office.

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

TIME OF APPOINTING ELECTORS

§ 1. The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice President.

FAILURE TO MAKE CHOICE ON PRESCRIBED DAY

§ 2. Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.

NUMBER OF ELECTORS

§ 3. The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors,

the number of electors shall be according to the then existing apportionment of Senators and Representatives.

VACANCIES IN ELECTORAL COLLEGE

§ 4. Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

DETERMINATION OF CONTROVERSY AS TO APPOINTMENT OF ELECTORS

§ 5. If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

CREDENTIALS OF ELECTORS; TRANSMISSION TO SECRETARY OF STATE AND TO CONGRESS; PUBLIC INSPECTION

§ 6. It shall be the duty of the executives of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Secretary of State of the United States a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 7 of this title to meet, six duplicate-originals of the same *Infra.* certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Secretary of State of the United States a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Secretary of State shall be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection; and the Secretary of State of the United States at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the State Department.

MEETING AND VOTE OF ELECTORS

§ 7. The electors of President and Vice President of each State shall meet and give their votes on the first Monday after the second Wednesday in December next following their appointment at such place in each State as the legislature of such State shall direct.

MANNER OF VOTING

§ 8. The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

CERTIFICATES OF VOTES FOR PRESIDENT AND VICE PRESIDENT

§ 9. The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

SEALING AND ENDORSING CERTIFICATES

§ 10. The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice President, are contained therein.

DISPOSITION OF CERTIFICATES

§ 11. The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First. They shall forthwith forward by registered mail one of the same to the President of the Senate at the seat of government.

Second. Two of the same shall be delivered to the secretary of state of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of such certificates and lists to the Secretary of State at the seat of government, one of which shall be held subject to the order of the President of the Senate. The other shall be preserved by the Secretary of State for one year and shall be a part of the public records of his office and shall be open to public inspection.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled.

FAILURE OF CERTIFICATES OF ELECTORS TO REACH PRESIDENT OF SENATE OR SECRETARY OF STATE; DEMAND ON STATE FOR CERTIFICATE

Supra.

§ 12. When no certificate of vote and list mentioned in sections 9 and 11 of this title from any State shall have been reecived by the President of the Senate or by the Secretary of State by the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall request, by the most expeditious method available, the secretary of state of the State to send up the certificate and list lodged with him by the electors of such State; and it shall be his duty upon receipt of such request immediately to transmit same by registered mail to the President of the Senate at the seat of government.

SAME; DEMAND ON DISTRICT JUDGE FOR CERTIFICATE

§ 13. When no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday in December, after the meeting of the electors shall have been held,

the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that list by the hand of such messenger to the seat of government.

FORFEITURE FOR MESSENGER'S NEGLECT OF DUTY

§ 14. Every person who, having been appointed, pursuant to section 13 of this title, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of $1,000.

COUNTING ELECTORAL VOTES IN CONGRESS

§ 15. Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such obections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the

Objections.

Ante, p. 673.

Ante, p. 673.

State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

Ante, p. 673.

SAME; SEATS FOR OFFICERS AND MEMBERS OF TWO HOUSES IN JOINT MEETING

§ 16. At such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

SAME; LIMIT OF DEBATE IN EACH HOUSE

§ 17. When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SAME; PARLIAMENTARY PROCEDURE AT JOINT MEETING

§ 18. While the two Houses shall be in meeting as provided in this subchapter, the President of the Senate shall have power to pre-

serve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

VACANCY IN OFFICES OF BOTH PRESIDENT AND VICE PRESIDENT; OFFICERS ELIGIBLE TO ACT

Speaker of House of Representatives.

§ 19. (a) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

President pro tempore of Senate.

(b) If, at the time when under subsection (a) of this section a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

(c) An individual acting as President under subsection (a) or subsection (b) of this section shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

Specified officers of United States.

(d) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Postmaster General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) of this subsection shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

(e) Subsections (a), (b), and (d) of this section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this section, his compensation shall be at the rate then provided by law in the case of the President.

RESIGNATION OR REFUSAL OF OFFICE

§ 20. The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

Sec.
101. Commencement of term of office.
102. Salary.
103. Traveling expenses.
104. Salary of the Vice President.
105. Secretary to President; compensation.
106. Administrative assistants.
107. Detail of employees of executive departments to office of President.
108. Accommodations for vehicles.
109. Public property in and belonging to Executive Mansion.
110. Furniture for White House.

COMMENCEMENT OF TERM OF OFFICE

§ 101. The term of four years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

SALARY

§ 102. The President shall receive in full for his services during the term for which he shall have been elected the sum of $75,000 a year, to be paid monthly, and shall be entitled to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion.

TRAVELING EXPENSES

§ 103. There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding $40,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

SALARY OF THE VICE PRESIDENT

§ 104. The Vice President shall receive in full for his services during the term for which he shall have been elected the sum of $20,000 a year, to be paid monthly.

SECRETARY TO THE PRESIDENT; COMPENSATION

§ 105. The compensation for the position of Secretary to the President shall be at the rate of $10,000 per annum.

ADMINISTRATIVE ASSISTANTS

§ 106. The President is authorized to appoint not to exceed six administrative assistants and to fix the compensation of each at the

rate of not more than $10,000 per annum. Each such administrative assistant shall perform such duties as the President may prescribe.

DETAIL OF EMPLOYEES OF EXECUTIVE DEPARTMENTS TO OFFICE OF PRESIDENT

§ 107. Employees of the executive departments and independent establishments of the executive branch of the Government may be detailed from time to time to the White House Office for temporary assistance.

ACCOMMODATIONS FOR VEHICLES

§ 108. The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department.

PUBLIC PROPERTY IN AND BELONGING TO EXECUTIVE MANSION

§ 109. The steward, housekeeper, or such other employee of the Executive Mansion as the President may designate, shall under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein, and shall, before entering upon the duties of the office, give bond for the faithful discharge thereof, said bond to be in the sum of $10,000, and to be approved by the Director of the National Park Service. A complete inventory, in proper books, shall be made annually in the month of June, under the direction of the Director of the National Park Service, of all the public property in and belonging to the Executive Mansion, showing when purchased, its cost, condition, and final disposition. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the office of the Director of the National Park Service, which shall furnish a copy thereof to the steward, housekeeper, or other employee responsible for the property.

FURNITURE FOR WHITE HOUSE

§ 110. All furniture purchased for the use of the President's House shall be, as far as practicable, of domestic manufacture. With a view to conserving in the White House the best specimens of the early American furniture and furnishings, and for the purpose of maintaining the interior of the White House in keeping with its original design, the Director of the National Park Service is authorized and directed, with the approval of the President, to accept donations of furniture and furnishings for use in the White House, all such articles thus donated to become the property of the United States and to be accounted for as such. The said Director of the National Park Service is further authorized and directed, with the approval of the President, to appoint a temporary committee composed of one representative of the American Federation of Arts, one representative of the National Commission of Fine Arts, one representative of the National Academy of Design, one member of the American Institute of Architects, and five members representing the public at large; the said committee to have full power to select and pass on the articles in question and to recommend the same for acceptance.

CHAPTER 3—PROTECTION OF THE PRESIDENT; THE WHITE HOUSE POLICE

Sec.

201. Protection of President and family authorized.
202. White House Police; establishment, control, and supervision; privileges, powers, and duties.

203. Personnel; appointment; vacancies.
204. Grades, salaries, and transfers of appointees.
205. Appointment in accordance with civil-service laws.
206. Privileges of civil-service appointees.
207. Participation in police and firemen's relief fund.
208. Appropriation to carry out provisions.

PROTECTION OF PRESIDENT AND FAMILY AUTHORIZED

§ 201. The protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States is authorized.

WHITE HOUSE POLICE; ESTABLISHMENT, CONTROL, AND SUPERVISION; PRIVILEGES, POWERS, AND DUTIES

§ 202. There is hereby created and established for the protection of the Executive Mansion and grounds in the District of Columbia a permanent police force, to be known as the "White House Police". Such force shall be under the control and direct supervision of the Chief of the Secret Service Division. The members of such force shall possess privileges and powers and perform duties similar to those of the members of the Metropolitan Police of the District of Columbia, and such additional privileges and duties as the Chief of the Secret Service Division may prescribe.

PERSONNEL, APPOINTMENT, AND VACANCIES

§ 203. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding one hundred and ten in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner.

(b) Any vacancy in the Metropolitan Police force or in the United States Park Police force caused by appointments to the White House Police force shall be filled in the manner provided by law.

GRADES, SALARIES, AND TRANSFERS OF APPOINTEES

§ 204. (a) No person shall be appointed a member of the White House Police force at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the White House Police force shall receive a salary at the rate provided for the corresponding grade in the Metropolitan Police force, and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the White House Police force appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the organization of which he was a member at the time of such appointment.

APPOINTMENT IN ACCORDANCE WITH CIVIL-SERVICE LAWS

§ 205. In addition to appointment from members of the Metropolitan Police force and the United States Park Police force, as provided

in section 203 (a) of this title, members of the White House Police force may be appointed, and vacancies in such force filled, in accordance with the provisions of the civil-service laws and the regulations issued pursuant thereto. *Ante*, p. 680.

PRIVILEGES OF CIVIL-SERVICE APPOINTEES

§ 206. Members appointed pursuant to section 205 of this title shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

PARTICIPATION IN POLICE AND FIREMEN'S RELIEF FUND

§ 207. (a) For the purposes of retirement under section 12 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes, approved September 1, 1916, as amended, service with the United States Park Police force shall be deemed service with the White House Police force. 39 Stat. 718. D. C. Code § 4-501 *et seq.*

(b) Any member of the Metropolitan Police force appointed to the White House Police force shall continue to be subject to the provisions of section 12 of such Act, and appointment of such member to the White House Police force or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such Act.

APPROPRIATION TO CARRY OUT PROVISIONS

§ 208. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202–204, 207, and 208 of this title. *Ante*, p. 680; *supra*.

SEC. 2. The provisions of title 3, "The President", set out in section 1 of this Act, shall be construed as a continuation of existing law and no loss of rights, interruption of jurisdiction, nor prejudice to matters pending on the effective date of this Act shall result from its enactment.

SEC. 3. The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal. Repeals.

Revised Statutes	U. S. Code		Revised Statutes	U. S. Code	
	Title	Section		Title	Section
Section:			Section—Continued		
131 [1]	3	1.	144	3	15, note.
132	3	2.	145	3	16.
133	3	3.	151	3	23.
134	3	4.	152	3	41.
137	3	8.	153	3	42.
138	3	9, note.	154	3	44.
139	3	10.	1829	3	49.
140	3	11, note.	1832 [2]	3	50, note.
141	3	13, note.	1833 [3]	3	51, note.
143	3	14, note.			

[1] All provisions not heretofore affected or modified by Act Jan. 19, 1886, ch. 4, sec. 3, 24 Stat. 2.
[2] Only the words, "the President's House," appearing in this section.
[3] Only the word, "Extension" following the words, "Architect of the Capitol;" and the words, "and the President's House," appearing in this section.

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1887—Feb. 3	90	1, 2, 3, 4, 5, 6, 7	24	373–375	3	5 note, 6, 7 note, 17–20.
1888—Oct. 19	1216	1, 2	25	613	3	11 note, 12 note, 13 note.
1906—June 23	3523		34	454	3	43.
1907—Feb. 26	1635	4 [4]	34	993	3	44.
1909—Mar. 4	297	1	35	[5] 859	3	42.
1910—June 25	384	9	36	773	3	48.
1911—Mar. 4	285	1	36	[6] 1404	3	47.
1913—June 23	3	1	38	[7] 23	3	53.
1922—June 12	218		42	[8] 636	3	46.
Sept. 14	308	1, 2, 3, 4, 5, 6, 7	42	841–843	3	61–65, 66 note, 67.
1923—Feb. 13	72		42	[8] 1227	3	46.
1924—June 7	292	1	43	[8] 521	3	46.
1925—Feb. 28	377	1, 2	43	1091	3	49.
1925—Mar. 3	468	1	43	[9] 1198, 1199	3	46.
Mar. 4	549	4	43	[10] 1301	3	44.
1926—Apr. 22	171	1	44	[11] 305	3	45.
Apr. 22	171	1	44	[8] 305	3	46.
1927—Feb. 11	104	1	44	[8] 1069	3	46.
1928—May 16	580	1	45	[8] 573	3	46.
May 29	859	1, 2, 3, 4, 5, 6	45	945–947	3	5a, 7a, 9a, 11a, 11b, 11c.
1929—Feb. 20	270	1	45	[8] 1230	3	46.
1930—Apr. 19	201	1	46	[8] 229	3	46.
May 14	277	1, 2, 3, 4	46	328, 329	3	61–63, 67.
1931—Feb. 23	281	1	46	[8] 1355	3	46.
1932—June 30	330	1	47	[8] 452	3	46.
1933—June 16	101	1	48	[8] 284	3	46.
1934—Mar. 28	102	1	48	[8] 509	3	46.
June 5	390	1, 6, 7	48	879	3	5a, 11b, 11c, 17, 41.
1935—Feb. 2	3	1	49	[8] 6	3	46.
May 28	154		49	304	3	62.
1936—Mar. 19	156	1	49	[8] 1168	3	46.
1937—June 28	396	1	50	[8] 330	3	46.
1938—May 23	259	1	52	[8] 411	3	46.
1939—Mar. 16	11	1	53	[8] 524	3	46.
Apr. 3	36	301	53	565	3	46a.
1940—Apr. 8	107	1	54	[12] 112	3	46.
Apr. 22	133		54	156	3	62.
1941—Apr. 5	40	1	55	[13] 93	3	46.
1942—June 27	450	1	56	[13] 392	3	46.
Oct. 9	582	1, 2	56	778	3	62a, 62 b.
1943—June 26	145	101	57	[12] 169	3	46.
1944—June 27	286	101	58	[13] 361	3	46.
1945—May 3	106	101	59	[12] 106	3	46.
1946—Mar. 28	113	101	60	[13] 61	3	46.
Aug. 2	744	17 (c)	60	811	3	43.
Aug. 2	753	[14] 601 (a)	60	850	3	44.
1947—June 9	102		61	132	3	62.
July 18	264	1 (a–f)	61	380, 381	3	24.
July 26	343	311	61	509	3	24.
July 30	359	101	61	[12] 585	3	46.

[4] Only the words, "the Vice President of the United States", appearing in this section.
[5] Only the words, "and after the third of March, nineteen hundred and nine, the compensation of the President of the United States shall be seventy-five thousand dollars per annum", in the eighth full paragraph appearing on this page.
[6] Only the following paragraph appearing on this page: "The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department."
[7] Only the words, "which protection is hereafter authorized," in the first paragraph appearing on this page.
[8] Only the proviso in the first paragraph under the heading, "Office Of The President", appearing on this page.
[9] Only the proviso in the first paragraph under the heading, "Office Of The President", on page 1198, said proviso commencing on page 1198, and ending on page 1199.
[10] Only the quoted words, "the Vice President of the United States,", appearing in the provisions amending Act Feb. 26, 1907, ch. 1635, sec. 4, 34 Stat. 993.
[11] Only the following words: "and on and after July 1, 1926, the compensation for such position shall be at the rate of $10,000 per annum", in the first paragraph under the heading, "office of the President", appearing on this page.
[12] Only the proviso in the first paragraph under the heading, "The White House Office", appearing on this page.
[13] Only the second proviso in the paragraph under the heading, "The White House Office", said proviso appearing on this page.
[14] Only the words, "and the Vice President of the United States", appearing in subsection (a) of section 601.

Approved June 25, 1948.

[CHAPTER 645]

AN ACT

To revise, codify, and enact into positive law, Title 18 of the United States Code, entitled "Crimes and Criminal Procedure".

June 25, 1948
[H. R. 3190]
[Public Law 772]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title 18 of the United States Code, entitled "Crimes and Criminal Procedure", is hereby revised, codified, and enacted into positive law, and may be cited as "Title 18, U. S. C., § ——", as follows:

Title 18, U. S. Code. Codification and enactment into positive law.

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

Part		Sec.	
I.	CRIMES	1	*Infra.*
II.	CRIMINAL PROCEDURE	3001	*Post*, p. 813.
III.	PRISONS AND PRISONERS	4001	*Post*, p. 847.
IV.	CORRECTION OF YOUTHFUL OFFENDERS	5001	*Post*, p. 856.

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11.	Bribery and graft	201
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CHAPTER 1—GENERAL PROVISIONS

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1. Offenses classified.
2. Principals.
3. Accessory after the fact.
4. Misprision of felony.
5. United States defined.
6. Department and agency defined.
7. Special maritime and territorial jurisdiction of the United States defined.
8. Obligation or other security of the United States defined.
9. Vessel of the United States defined.
10. Interstate commerce and foreign commerce defined.
11. Foreign government defined.
12. Postal Service defined.
13. Laws of States adopted for areas within Federal jurisdiction.
14. Applicability to Canal Zone.

§ 1. OFFENSES CLASSIFIED

Notwithstanding any Act of Congress to the contrary:

(1) Any offense punishable by death or imprisonment for a term exceeding one year is a felony.

(2) Any other offense is a misdemeanor.

(3) Any misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than $500, or both, is a petty offense.

§ 2. PRINCIPALS

(a) Whoever commits an offense against the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal.

(b) Whoever causes an act to be done, which if directly performed by him would be an offense against the United States, is also a principal and punishable as such.

§ 3. ACCESSORY AFTER THE FACT

Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by death, the accessory shall be imprisoned not more than ten years.

§ 4. MISPRISION OF FELONY

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than $500 or imprisoned not more than three years, or both.

§ 5. UNITED STATES DEFINED

The term "United States", as used in this title in a territorial sense, includes all places and waters, continental or insular, subject to the jurisdiction of the United States, except the Canal Zone.

§ 6. DEPARTMENT AND AGENCY DEFINED

As used in this title:

The term "department" means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

The term "agency" includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense.

§ 7. SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE UNITED STATES DEFINED

The term "special maritime and territorial jurisdiction of the United States", as used in this title, includes:

(1) The high seas, any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, and any vessel belonging in whole or in part to the United States or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, District, or possession thereof, when such vessel is within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State.

(2) Any vessel registered, licensed, or enrolled under the laws of the United States, and being on a voyage upon the waters of any of the Great Lakes, or any of the waters connecting them, or upon the Saint Lawrence River where the same constitutes the International Boundary Line.

(3) Any lands reserved or acquired for the use of the United States, and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.

(4) Any island, rock, or key containing deposits of guano, which may, at the discretion of the President, be considered as appertaining to the United States.

§ 8. OBLIGATION OR OTHER SECURITY OF THE UNITED STATES DEFINED

The term "obligation or other security of the United States" includes all bonds, certificates of indebtedness, national bank currency, Federal Reserve notes, Federal Reserve bank notes, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, issued under any Act of Congress, and canceled United States stamps.

§ 9. VESSEL OF THE UNITED STATES DEFINED

The term "vessel of the United States", as used in this title, means a vessel belonging in whole or in part to the United States, or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, District, or possession thereof.

§ 10. INTERSTATE COMMERCE AND FOREIGN COMMERCE DEFINED

The term "interstate commerce", as used in this title, includes commerce between one State, Territory, Possession, or the District of Columbia and another State, Territory, Possession, or the District of Columbia.

The term "foreign commerce", as used in this title, includes commerce with a foreign country.

§ 11. FOREIGN GOVERNMENT DEFINED

The term "foreign government", as used in this title, includes any government, faction, or body of insurgents within a country with which the United States is at peace, irrespective of recognition by the United States.

§ 12. POSTAL SERVICE DEFINED

The term "Postal Service", as used in this title, includes the "Post Office Department" and every employee thereof, whether or not he has taken the oath of office.

§ 13. LAWS OF STATES ADOPTED FOR AREAS WITHIN FEDERAL JURISDICTION

Ante, p. 685.

Whoever within or upon any of the places now existing or hereafter reserved or acquired as provided in section 7 of this title, is guilty of any act or omission which, although not made punishable by any enactment of Congress, would be punishable if committed or omitted within the jurisdiction of the State, Territory, Possession, or District in which such place is situated, by the laws thereof in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment.

§ 14. APPLICABILITY TO CANAL ZONE

In addition to the sections of this title which by their terms apply to and within the Canal Zone, the following sections of this title shall likewise apply to and within the Canal Zone: 6, 8, 11, 331, 371, 472, 474, 478, 479, 480, 481, 482, 483, 485, 488, 489, 490, 499, 502, 506, 594, 595, 598, 600, 601, 604, 605, 608, 611, 612, 703, 756, 791, 792, 793, 794, 795, 796, 797, 915, 917, 951, 953, 954, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 1017, 1073, 1301, 1364, 1382, 1542, 1543, 1544, 1546, 1584, 1621, 1622, 1761, 1821, 1914, 2151, 2152, 2153, 2154, 2155, 2156, 2199, 2231, 2234, 2235, 2274, 2275, 2277, 2384, 2385, 2388, 2389, 2390, 2421, 2422, 2423, 2424, 3059, 3105, 3109.

CHAPTER 3.—ANIMALS, BIRDS AND FISH

Sec.

41. Hunting, fishing, trapping; disturbance or injury on wildlife refuges.
42. Importation of injurious animals and birds; permits; specimens for museums.
43. Transportation or importation in violation of state, national, or foreign laws.
44. Marking packages or containers.
45. Capturing or killing carrier pigeons.

§ 41. HUNTING, FISHING, TRAPPING; DISTURBANCE OR INJURY ON WILDLIFE REFUGES

Whoever, except in compliance with rules and regulations promulgated by authority of law, hunts, traps, captures, willfully disturbs or kills any bird, fish, or wild animal of any kind whatever, or takes or destroys the eggs or nest of any such bird or fish, on any lands or waters which are set apart or reserved as sanctuaries, refuges or breeding grounds for such birds, fish, or animals under any law of the United States or willfully injures, molests, or destroys any property of the United States on any such lands or waters, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 42. IMPORTATION OF INJURIOUS ANIMALS AND BIRDS; PERMITS; SPECIMENS FOR MUSEUMS

(a) The importation into the United States of the mongoose, the so-called "flying foxes" or fruit bats, the English sparrow, the starling, and such other birds and animals as the Secretary of the Interior may declare to be injurious to the interests of agriculture or horticulture, is prohibited; and all such birds and animals shall, upon arrival at any port of the United States, be destroyed or returned at the expense of the owner.

No person shall import into the United States any foreign wild animal or bird, except under special permit from the Secretary of the Interior.

Natural-history specimens, cage birds, etc.

This section shall not restrict the importation of natural-history specimens for museums or scientific collections, or of certain cage birds, such as domesticated canaries, parrots, or such other birds as the Secretary of the Interior may designate.

The Secretary of the Treasury may issue regulations to effectuate this section.

(b) Whoever violates this section shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 43. TRANSPORTATION OR IMPORTATION IN VIOLATION OF STATE, NATIONAL, OR FOREIGN LAWS

Whoever delivers or knowingly receives for shipment, transportation, or carriage in interstate or foreign commerce, any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country, or captured, killed, taken, purchased, sold, or possessed contrary to any Act of Congress, or the law of any State, Territory, Possession, or foreign country, or subdivision thereof; or

Whoever transports, brings, or conveys from any foreign country into the United States any wild animal or bird, or the dead body or part thereof, or the egg of any such bird captured, killed, taken, shipped, transported, or carried contrary to the law of such foreign country or subdivision thereof; or

Whoever knowingly purchases or receives any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country or shipped, transported, carried, brought, or conveyed in violation of this section; or

Whoever, having purchased or received any wild animal or bird, or the dead body or part thereof, or the egg of any such bird imported from any foreign country or shipped, transported, or carried in interstate commerce, makes any false record or account thereof; or

Whoever imports from or exports to Mexico any game mammal, dead or alive, or parts or products thereof, except under permit or authorization of the Secretary of the Interior, in accordance with regulations issued by him and approved by the President—

Shall be fined not more than $500 or imprisoned not more than six months, or both; and the wild animals or birds, or the dead bodies or parts thereof, or the eggs of such birds, shall be forfeited.

§ 44. MARKING PACKAGES OR CONTAINERS

Whoever ships, transports, carries, brings or conveys in interstate or foreign commerce any package containing wild animals or birds, or the dead bodies or parts thereof, without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee and with an accurate statement showing the contents by number and kind; or

Whoever ships, transports, carries, brings or conveys in interstate commerce, any package containing migratory birds included in any convention to which the United States is a party, without marking, labeling, or tagging such package as prescribed in such convention, or Act of Congress, or regulation thereunder; or

Whoever ships, transports, carries, brings or conveys in interstate commerce any package containing furs, hides, or skins of wild animals without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee—

Shall be fined not more than $500 or imprisoned not more than six months, or both; and the shipment shall be forfeited.

§ 45. CAPTURING OR KILLING CARRIER PIGEONS

Whoever knowingly traps, captures, shoots, kills, possesses, or detains an Antwerp or homing pigeon, commonly called carrier pigeon, owned by the United States or bearing a band owned and issued by the United States having thereon the letters "U. S. A." or "U. S. N." and a serial number, shall be fined not more than $100 or imprisoned not more than six months, or both.

The possession or detention of any such pigeon without giving immediate notice by registered mail to the nearest military or naval authorities, shall be prima facie evidence of a violation of this section.

CHAPTER 5.—ARSON

Sec.
81. Arson within special maritime and territorial jurisdiction.

§ 81. ARSON WITHIN SPECIAL MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, willfully and maliciously sets fire to or burns, or attempts to set fire to or burn any building, structure or vessel, any machinery or building materials or supplies, military or naval stores, munitions of war, or any structural aids or appliances for navigation or shipping, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

If the building be a dwelling or if the life of any person be placed in jeopardy, he shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

CHAPTER 7.—ASSAULT

Sec.
111. Assaulting, resisting, or impeding certain officers or employees.
112. Assaulting public minister.
113. Assaults within maritime and territorial jurisdiction.
114. Maiming within maritime and territorial jurisdiction.

§ 111. ASSAULTING, RESISTING, OR IMPEDING CERTAIN OFFICERS OR EMPLOYEES

Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of his official duties, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

Post, p. 756.

Whoever, in the commission of any such acts uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 112. ASSAULTING PUBLIC MINISTER

Whoever assaults, strikes, wounds, imprisons, or offers violence to the person of an ambassador or other public minister, in violation of the law of nations, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

Whoever, in the commission of any such acts uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 113. ASSAULTS WITHIN MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows:

(a) Assault with intent to commit murder or rape, by imprisonment for not more than twenty years.

(b) Assault with intent to commit any felony, except murder or rape, by fine of not more than $3,000 or imprisonment for not more than ten years, or both.

(c) Assault with a dangerous weapon, with intent to do bodily harm, and without just cause or excuse, by fine of not more than $1,000 or imprisonment for not more than five years, or both.

(d) Assault by striking, beating, or wounding, by fine of not more than $500 or imprisonment for not more than six months, or both.

(e) Simple assault, by fine of not more than $300 or imprisonment for not more than three months, or both.

§ 114. MAIMING WITHIN MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, and with intent to main or disfigure, cuts, bites, or slits the nose, ear, or lip, or cuts out or disables the tongue, or puts out or destroys an eye, or cuts off or disables a limb or any member of another person; or

Whoever, within the special maritime and territorial jurisdiction of the United States, and with like intent, throws or pours upon another person, any scalding water, corrosive acid, or caustic substance—

Shall be fined not more than $1,000 or imprisoned not more than seven years, or both.

CHAPTER 9.—BANKRUPTCY

Sec.

151. Definitions.
152. Concealment of assets; false oaths and claims; bribery.
153. Embezzlement by trustee, receiver or officer.
154. Adverse interest and conduct of referees and other officers.
155. Fee agreements in bankruptcy proceedings.

§ 151. DEFINITIONS

As used in this chapter:

The term "bankrupt" means a debtor by or against whom a petition has been filed under Title 11.

The term "bankruptcy" includes any proceeding, arrangement, or plan pursuant to Title 11.

§ 152. CONCEALMENT OF ASSETS; FALSE OATHS AND CLAIMS; BRIBERY

Whoever knowingly and fraudulently conceals from the receiver, custodian, trustee, marshal, or other officer of the court charged with the control or custody of property, or from creditors in any bankruptcy proceeding, any property belonging to the estate of a bankrupt; or

Whoever knowingly and fraudulently makes a false oath or account in or in relation to any bankruptcy proceeding; or

Whoever knowingly and fraudulently presents under oath any false claim for proof against the estate of a bankrupt, or uses any such claim in any bankruptcy proceeding, personally, or by agent, proxy, or attorney, or as agent, proxy, or attorney; or

Whoever knowingly and fraudulently receives any material amount of property from a bankrupt after the filing of a bankruptcy proceeding, with intent to defeat the bankruptcy law; or

Whoever knowingly and fraudulently gives, offers, receives or attempts to obtain any money or property, remuneration, compensation, reward, advantage, or promise thereof, for acting or forbearing to act in any bankruptcy proceeding; or

Whoever, while an agent or officer of any person or corporation, and in contemplation of a bankruptcy proceeding by or against such person or corporation, or with intent to defeat the bankruptcy law, knowingly and fraudulently transfers or conceals any of the property of such person or corporation; or

Whoever, after the filing of a bankruptcy proceeding or in contemplation thereof, knowingly and fraudulently conceals, destroys, mutilates, falsifies, or makes a false entry in any document affecting or relating to the property or affairs of a bankrupt; or

Whoever, after the filing of a bankruptcy proceeding, knowingly and fraudulently withholds from the receiver, custodian, trustee, marshal, or other officer of the court entitled to its possession, any document affecting or relating to the property or affairs of a bankrupt.

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 153. EMBEZZLEMENT BY TRUSTEE, RECEIVER OR OFFICER

Whoever knowingly and fraudulently appropriates to his own use, embezzles, spends, or transfers any property or secretes or destroys any document belonging to the estate of a bankrupt which came into his charge as trustee, receiver, custodian, marshal, or other officer of the court, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 154. ADVERSE INTEREST AND CONDUCT OF REFEREES AND OTHER OFFICERS

Whoever knowingly acts as a referee in a case in which he is directly or indirectly interested; or

Whoever, being a referee, receiver, custodian, trustee, marshal, or other officer of the court, knowingly purchases, directly or indirectly, any property of the estate of which he is such officer in a bankruptcy proceeding; or

Whoever being such officer, knowingly refuses to permit a reasonable opportunity for the inspection of the documents and accounts relating to the affairs of estates in his charge by parties in interest when directed by the court to do so—

Shall be fined not more than $500, and shall forfeit his office, which shall thereupon become vacant.

§ 155. FEE AGREEMENTS IN BANKRUPTCY PROCEEDINGS

Whoever, being a party in interest, whether as a debtor, creditor, receiver or trustee or a representative of any of them, in any receivership, bankruptcy, or reorganization proceeding, in or under the supervision of any court of the United States, enters into any agreement, express or implied, with another such party in interest, for the purpose of fixing the fees or other compensation to be paid, to any party in interest for services rendered in connection therewith, from the assets of the estate in excess of the compensation allowed by law; or

Whoever, being a judge of a court of the United States knowingly approves the payment of any fees or compensation so fixed—

Shall be fined not more than $5,000 or imprisoned not more than one year, or both.

CHAPTER 11.—BRIBERY AND GRAFT

Sec.

201. Offer to officer or other person.
202. Acceptance or solicitation by officer or other person.
203. Acceptance or demand by district attorneys or marshals or their assistants.

Sec.
204. Offer to Member of Congress.
205. Acceptance by Member of Congress.
206. Offer to judge or judicial officer.
207. Acceptance by judge.
208. Acceptance or solicitation by judicial officer.
209. Offer to witness.
210. Acceptance by witness.
211. Offer of gratuity to revenue officer.
212. Offer or threat to customs officer or employee.
213. Acceptance or demand by customs officer or employee.
214. Offer to procure appointive public office.
215. Acceptance or solicitation to obtain appointive public office.
216. Procurement of contract by officer or Member of Congress.
217. Offer of loan or gratuity to bank examiner.
218. Acceptance of loan or gratuity by bank examiner.
219. Offer for procurement of Federal Reserve bank loan and discount of commercial paper.
220. Receipt of commissions or gifts for procuring loans.
221. Receipt or charge of commission or gifts for farm loan or land bank transactions.
222. Acceptance of consideration for adjustment of farm indebtedness.
223. Home Owners' Loan Corporation transactions.

§ 201. OFFER TO OFFICER OR OTHER PERSON

Whoever promises, offers, or gives any money or thing of value, or makes or tenders any check, order, contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value, to any officer or employee or person acting for or on behalf of the United States, or any department or agency thereof, in any official function, under or by authority of any such department or agency or to any officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both.

This section shall not apply to violations of section 212 of this title. *Post*, p. 693.

§ 202. ACCEPTANCE OR SOLICITATION BY OFFICER OR OTHER PERSON

Whoever, being an officer or employee of, or person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or agency thereof, or an officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, asks, accepts, or receives any money, or any check, order, contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both; and shall forfeit his office or place and be disqualified from holding any office of honor, trust, or profit under the United States.

This section shall not apply to violations of section 213 of this title. *Post*, p. 693.

§ 203. ACCEPTANCE OR DEMAND BY DISTRICT ATTORNEYS OR MARSHALS OR THEIR ASSISTANTS

Whoever, being connected in any capacity with the office of United States Attorney or United States Marshal, directly or indirectly, demands, receives or accepts any fee or compensation for the performance of any official service, other than is provided by law, shall be fined not more than $500 or imprisoned not more than five years, or both.

§ 204. OFFER TO MEMBER OF CONGRESS

Whoever promises, offers, or gives any money or thing of value, or makes or tenders any check, order, contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value, to any Member of either House of Congress, or Delegate to Congress, or Resident Commissioner, either before or after he has qualified, or to any person with his consent, connivance, or concurrence, with intent to influence his action, vote, or decision on any question, matter, cause, or proceeding which may at any time be pending in either House of Congress, or before any committee thereof, or which by law may be brought before him in his capacity as such Member, Delegate, or Resident Commissioner, shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both.

§ 205. ACCEPTANCE BY MEMBER OF CONGRESS

Whoever, being a Member of, or Delegate to, Congress, or a Resident Commissioner, either before or after he has qualified, directly or indirectly, asks, accepts, receives, or agrees to receive, any money or thing of value, or any promise, check, order, contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to him or to any person with his consent, connivance, or concurrence, for his attention to, or services, or with the intent to have his action, vote, or decision influenced on any question, matter, cause, or proceeding, which may at any time be pending in either House of Congress or before any committee thereof, or which by law may be brought before him in his capacity as such Member, Delegate, or Resident Commissioner, shall be fined not more than three times the amount asked, accepted, or received or imprisoned not more than three years, or both; and shall forfeit his office or place, and be disqualified from holding any office of honor, trust, or profit under the United States.

§ 206. OFFER TO JUDGE OR JUDICIAL OFFICER

Whoever, directly or indirectly, gives or offers any money or thing of value, or any promise or agreement therefor, or any other bribe, to any judge, juror, referee, arbitrator, appraiser, assessor, auditor, master, trustee, receiver, United States Commissioner, or other person authorized by any law of the United States to hear or determine any question, matter, cause, proceeding, or controversy, because of or with intent to influence his action, vote, opinion, or decision thereon, shall be fined not more than $20,000 or imprisoned not more than fifteen years, or both; and shall be disqualified from holding any office of honor, trust, or profit under the United States.

§ 207. ACCEPTANCE BY JUDGE

Whoever, being a judge of the United States, accepts or receives any sum of money or other bribe, present or reward, or any promise, check, order, contract, obligation, gift or security for the payment of money, or for the delivery or conveyance of anything of value, because of or with intent to be influenced in any opinion, judgment or decree in any suit, controversy, matter or cause pending before him, shall be fined not more than $20,000 or imprisoned not more than fifteen years, or both;

and shall be disqualified from holding any office of honor, trust or profit under the United States.

§ 208. ACCEPTANCE OR SOLICITATION BY JUDICIAL OFFICER

Whoever, being a juror, referee, arbitrator, appraiser, assessor, auditor, master, trustee, receiver, United States commissioner, or other person authorized by any law of the United States to hear or determine any question, matter, cause, controversy, or proceeding, asks, receives, or agrees to receive, any money or thing of value, or any promise or agreement therefor, because of or with intent to be influenced in his vote, opinion, action, judgment, or decision, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 209. OFFER TO WITNESS

Whoever, directly or indirectly, gives or offers any money or thing of value, or any promise or agreement therefor, or any other bribe to any person being, or about to be, a witness upon a trial, hearing, or other proceeding, before any court or any officer authorized by the laws of the United States to hear evidence or take testimony, upon any agreement or understanding that his testimony shall be influenced thereby, or that he will absent himself from the trial, hearing or other proceeding, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 210. ACCEPTANCE BY WITNESS

Whoever, being, or about to be, a witness upon a trial, hearing, or other proceeding, before any court or any officer authorized by the laws of the United States to hear evidence or take testimony, receives, or agrees or offers to receive, a bribe, upon any agreement or understanding that his testimony shall be influenced thereby, or that he will absent himself from the trial, hearing, or other proceeding, or because of such testimony, or such absence, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 211. OFFER OF GRATUITY TO REVENUE OFFICER

Whoever, being engaged in the importation into the United States of any goods, wares, or merchandise, or being interested as principal, clerk, or agent in the entry thereof, gives or offers, to any officer of the revenue, any present of money or thing of value, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 212. OFFER OR THREAT TO CUSTOMS OFFICER OR EMPLOYEE

Whoever gives, offers, or promises any money or thing of value, directly or indirectly, to any officer or employee of the United States in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of merchandise or baggage, or of the liquidation of the entry thereof, or by threats or demands or promises of any character attempts improperly to influence or control any such officer or employee of the United States as to the performance of his official duties, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

Evidence, satisfactory to the court, of such giving, offering, or promising to give, or attempting to influence or control, shall be prima facie evidence that the same was contrary to law.

§ 213. ACCEPTANCE OR DEMAND BY CUSTOMS OFFICER OR EMPLOYEE

Whoever, being an officer or employee of the United States, solicits, demands, exacts, or receives from any person, directly or indirectly, except in payment of the duties or exactions fixed by law, any gratuity, money, or thing of value, for any service performed under the customs laws, or in consideration of any official act or the omission

thereof, in connection with or pertaining to the importation, entry, inspection or examination, or appraisement of merchandise or baggage, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

Evidence, satisfactory to the court, of such soliciting, demanding, exacting, or receiving shall be prima facie evidence that the same was contrary to law.

§ 214. OFFER TO PROCURE APPOINTIVE PUBLIC OFFICE

Whoever pays or offers or promises any money or thing of value, to any person, firm, or corporation in consideration of the use or promise to use any influence to procure any appointive office or place under the United States for any person, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 215. ACCEPTANCE OR SOLICITATION TO OBTAIN APPOINTIVE PUBLIC OFFICE

Whoever solicits or receives, either as a political contribution, or for personal emolument, any money or thing of value, in consideration of the promise of support or use of influence in obtaining for any person any appointive office or place under the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 216. PROCUREMENT OF CONTRACT BY OFFICER OR MEMBER OF CONGRESS

Whoever, being a Member of or Delegate to Congress, or a Resident Commissioner, either before or after he has qualified, or being an officer, employee, or agent of the United States, directly or indirectly takes, receives, or agrees to receive, any money or thing of value, for giving, procuring or aiding to procure to or for any person, any contract from the United States or from any officer, department or agency thereof; or

Whoever, directly or indirectly, offers, gives, or agrees to give any money or thing of value for procuring or aiding to procure, any such contract—

Shall be fined not more than $10,000 or imprisoned not more than two years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States.

The President may declare void any such contract or agreement.

§ 217. OFFER OF LOAN OR GRATUITY TO BANK EXAMINER

Whoever, being an officer, director or employee of a bank which is a member of the Federal Reserve System or the deposits of which are insured by the Federal Deposit Insurance Corporation, or of any National Agricultural Credit Corporation, or of any land bank, national farm loan association or other institution subject to examination by a farm credit examiner, makes or grants any loan or gratuity, to any examiner or assistant examiner who examines or has authority to examine such bank, corporation, or institution, shall be fined not more than $5,000 or imprisoned not more than one year, or both; and may be fined a further sum equal to the money so loaned or gratuity given.

Post, p. 695.

The provisions of this section and section 218 of this title shall apply to all public examiners and assistant examiners who examine member banks of the Federal Reserve System or insured banks, or National Agricultural Credit Corporations, whether appointed by the Comptroller of the Currency, by the Board of Governors of the Federal Reserve System, by a Federal Reserve Agent, by a Federal Reserve bank or by the Federal Deposit Insurance Corporation, or appointed or elected under the laws of any state; but shall not apply to private

examiners or assistant examiners employed only by a clearing-house association or by the directors of a bank.

§ 218. ACCEPTANCE OF LOAN OR GRATUITY BY BANK EXAMINER

Whoever, being an examiner or assistant examiner of member banks of the Federal Reserve System or banks the deposits of which are insured by the Federal Deposit Insurance Corporation, or a farm credit examiner or examiner of National Agricultural Credit Corporations, accepts a loan or gratuity from any bank, corporation, association or organization examined by him or from any person connected therewith, shall be fined not more than $5,000 or imprisoned not more than one year, or both; and may be fined a further sum equal to the money so loaned or gratuity given, and shall be disqualified from holding office as such examiner.

§ 219. OFFER FOR PROCUREMENT OF FEDERAL RESERVE BANK LOAN AND DISCOUNT OF COMMERCIAL PAPER

Whoever stipulates for or gives or receives, or consents or agrees to give or receive, any fee, commission, bonus, or thing of value for procuring or endeavoring to procure from any Federal Reserve bank any advance, loan, or extension of credit or discount or purchase of any obligation or commitment with respect thereto, either directly from such Federal Reserve bank or indirectly through any financing institution, unless such fee, commission, bonus, or thing of value and all material facts with respect to the arrangement or understanding therefor shall be disclosed in writing in the application or request for such advance, loan, extension of credit, discount, purchase, or commitment, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 220. RECEIPT OF COMMISSIONS OR GIFTS FOR PROCURING LOANS

Whoever, being an officer, director, employee, agent, or attorney of a member bank of the Federal Reserve System, of a Federal intermediate credit bank, or of a National Agricultural Credit Corporation, except as provided by law, stipulates for or receives or consents or agrees to receive any fee, commission, gift, or thing of value, from any person, firm, or corporation, for procuring or endeavoring to procure for such person, firm, or corporation, or for any other person, firm, or corporation, from any such bank or corporation, any loan or extension or renewal of loan or substitution of security, or the purchase or discount or acceptance of any paper, note, draft, check, or bill of exchange by any such bank or corporation, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 221. RECEIPT OR CHARGE OF COMMISSIONS OR GIFTS FOR FARM LOAN OR LAND BANK TRANSACTIONS

Whoever, being an officer, director, attorney, or employee of a national farm loan association, a Federal land bank, or a joint-stock land bank, organized or acting under authority of any law of the United States, is a beneficiary of or receives, directly or indirectly, any fee, commission, gift, or other consideration for or in connection with any transaction or business of such association or bank, other than the usual salary or director's fee paid to such officer, director, or employee thereof, and a reasonable fee paid by such association or bank to such officer, director, attorney, or employee for services rendered, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

Whoever causes or procures any Federal land bank, joint-stock land bank or national farm loan association, organized under any Act of Congress, to charge or receive any fee, commission, bonus, gift, or other

consideration not specifically authorized, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 222. ACCEPTANCE OF CONSIDERATION FOR ADJUSTMENT OF FARM INDEBTEDNESS

Whoever, being an officer or employee of, or person acting for the United States or any agency thereof, accepts any fee, commission, gift, or other consideration in connection with the compromise, adjustment, or cancellation of any farm indebtedness as provided by sections 1150, 1150a, and 1150b of Title 12, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 223. HOME OWNERS' LOAN CORPORATION TRANSACTIONS

Whoever, whether a person, partnership, association, or corporation, directly or indirectly solicits, contracts for, charges, or receives, or attempts to solicit, contract for, charge, or receive, from any person applying to the Home Owners' Loan Corporation for a loan, (1) any fee, charge, or other consideration, whether bond or cash, except ordinary fees authorized and required by the said Corporation for services actually rendered for examination and perfection of title, appraisal, and like necessary services, or (2) any moneys, check, note, or other form of obligation, representing payment of any difference which may exist between the market value and the par value of the bonds of the Home Owners' Loan Corporation, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

CHAPTER 13.—CIVIL RIGHTS

Sec.

241. Conspiracy against rights of citizens.
242. Deprivation of rights under color of law.
243. Exclusion of jurors on account of race or color.
244. Discrimination against person wearing uniform of armed forces.

§ 241. CONSPIRACY AGAINST RIGHTS OF CITIZENS

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 242. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 243. EXCLUSION OF JURORS ON ACCOUNT OF RACE OR COLOR

No citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State on account of race, color, or previous condition of servitude; and whoever, being an officer or other person charged with any duty in the selection or summoning of jurors, excludes or fails to summon any citizen for such cause, shall be fined not more than $5,000.

§ 244. DISCRIMINATION AGAINST PERSON WEARING UNIFORM OF ARMED FORCES

Whoever, being a proprietor, manager, or employee of a theater or other public place of entertainment or amusement in the District of Columbia, or in any Territory, or Possession of the United States, causes any person wearing the uniform of the Army, Navy, Coast Guard, or Marine Corps of the United States to be discriminated against because of that uniform, shall be fined not more than $500.

CHAPTER 15.—CLAIMS AND SERVICES IN MATTERS AFFECTING GOVERNMENT

Sec.

281. Compensation to Members of Congress, officers, and others in matters affecting the Government.
282. Practice in Court of Claims by Members of Congress.
283. Officers or employees interested in claims against the Government.
284. Disqualification of former officers and employees in matters connected with former duties.
285. Taking or using papers relating to claims.
286. Conspiracy to defraud the Government with respect to claims.
287. False, fictitious or fraudulent claims.
288. False claims for postal losses.
289. False claims for pensions.
290. Discharge papers withheld by claim agent.
291. Purchase of claims for fees by court officials.

§ 281. COMPENSATION TO MEMBERS OF CONGRESS, OFFICERS AND OTHERS IN MATTERS AFFECTING THE GOVERNMENT

Whoever, being a Member of or Delegate to Congress, or a Resident Commissioner, either before or after he has qualified, or the head of a department, or other officer or employee of the United States or any department or agency thereof, directly or indirectly receives or agrees to receive, any compensation for any services rendered or to be rendered, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter in which the United States is a party or directly or indirectly interested, before any department, agency, court martial, officer, or any civil, military, or naval commission, shall be fined not more than $10,000 or imprisoned not more than two years, or both; and shall be incapable of holding any office of honor, trust, or profit under the United States.

Retired officers of the Army, Navy, Marine Corps, and Coast Guard of the United States, while not on active duty, shall not by reason of their status as such be subject to the provisions of this section. Nothing herein shall be construed to allow any retired officer to represent any person in the sale of anything to the Government through the department in whose service he holds a retired status.

This section shall not apply to any person because of his membership in the National Guard of the District of Columbia nor to any person specially excepted by Act of Congress.

§ 282. PRACTICE IN COURT OF CLAIMS BY MEMBERS OF CONGRESS

Whoever, being a Member of or Delegate to Congress, or a Resident Commissioner, either before or after he has qualified, practices in the Court of Claims, shall be fined not more than $10,000 or imprisoned not more than two years, or both; and shall be incapable of holding any office of honor, trust, or profit under the United States.

§ 283. OFFICERS OR EMPLOYEES INTERESTED IN CLAIMS AGAINST THE GOVERNMENT

Whoever, being an officer or employee of the United States or any department or agency thereof, or of the Senate or House of Representatives, acts as an agent or attorney for prosecuting any claim against the United States, or aids or assists in the prosecution or support of

any such claim otherwise than in the proper discharge of his official duties, or receives any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

This section shall not apply to any person because of his membership in the National Guard of the District of Columbia nor to any person specially excepted by enactment of Congress.

§ 284. DISQUALIFICATIONS OF FORMER OFFICERS AND EMPLOYEES IN MATTERS CONNECTED WITH FORMER DUTIES

(a) Whoever, having been employed in any agency of the United States, including commissioned officers assigned to duty in such agency, within two years after the time when such employment or service has ceased, prosecutes or acts as counsel, attorney, or agent for prosecuting, any claims against the United States involving any subject matter directly connected with which such person was so employed or performed duty, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

§ 285. TAKING OR USING PAPERS RELATING TO CLAIMS

Whoever, without authority, takes and carries away from the place where it was filed, deposited, or kept by authority of the United States, any certificate, affidavit, deposition, statement of facts, power of attorney, receipt, voucher, assignment, or other document, record, file, or paper prepared, fitted, or intended to be used or presented to procure the payment of money from or by the United States or any officer, employee, or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has or has not already been so used or presented, and whether such claim, account, or demand, or any part thereof has or has not already been allowed or paid; or

Whoever presents, uses, or attempts to use any such document, record, file, or paper so taken and carried away, to procure the payment of any money from or by the United States, or any officer, employee, or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 286. CONSPIRACY TO DEFRAUD THE GOVERNMENT WITH RESPECT TO CLAIMS

Whoever enters into any agreement, combination, or conspiracy to defraud the United States, or any department or agency thereof, by obtaining or aiding to obtain the payment or allowance of any false, fictitious or fraudulent claim, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 287. FALSE, FICTITIOUS OR FRAUDULENT CLAIMS

Whoever makes or presents to any person or officer in the civil, military, or naval service of the United States, or to any department or agency thereof, any claim upon or against the United States, or any department or agency thereof, knowing such claim to be false, fictitious, or fraudulent, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 288. FALSE CLAIMS FOR POSTAL LOSSES

Whoever makes, alleges, or presents any claim or application for indemnity for the loss of any registered or insured letter, parcel, package, or other article or matter, or the contents thereof, knowing such claim or application to be false, fictitious, or fraudulent; or

Whoever for the purpose of obtaining or aiding to obtain the payment or approval of any such claim or application, makes or uses any false statement, certificate, affidavit, or deposition; or

Whoever knowingly and willfully misrepresents, or misstates, or, for the purpose aforesaid, knowingly and willfully conceals any material fact or circumstance in respect of any such claim or application for indemnity—

Shall be fined not more than $500 or imprisoned not more than one year, or both.

Where the amount of such claim or application for indemnity is less than $100 only a fine shall be imposed.

§ 289. FALSE CLAIMS FOR PENSIONS

Whoever knowingly and willfully makes, or presents any false, fictitious or fraudulent affidavit, declaration, certificate, voucher, endorsement, or paper or writing purporting to be such, concerning any claim for pension or payment thereof, or pertaining to any other matter within the jurisdiction of the Administrator of Veterans' Affairs, or knowingly or willfully makes or presents any paper required as a voucher in drawing a pension, which paper bears a date subsequent to that upon which it was actually signed or acknowledged by the pensioner; or

Whoever knowingly and falsely certifies that the declarant, affiant, or witness named in such declaration, affidavit, voucher, endorsement, or other paper or writing personally appeared before him and was sworn thereto, or acknowledged the execution thereof—

Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 290. DISCHARGE PAPERS WITHHELD BY CLAIM AGENT

Whoever, being a claim agent, attorney, or other person engaged in the collection of claims for pay, pension, or other allowances for any soldier, sailor, or marine, or for any commissioned officer of the military or naval forces, or for any person who may have been a soldier, sailor, marine, or officer of the regular or volunteer forces of the United States, or for his dependents or beneficiaries, retains, without the consent of the owner or owners thereof, or refuses to deliver or account for the same upon demand duly made by the owner or owners thereof, or by their agent or attorney, the discharge papers of any such soldier, sailor, or marine, or commissioned officer, which may have been placed in his hands for the purpose of collecting said claims, shall be fined not more than $500 or imprisoned not more than six months, or both; and shall be debarred from prosecuting any such claim in any department or agency of the United States.

§ 291. PURCHASE OF CLAIMS FOR FEES BY COURT OFFICIALS

Whoever, being a judge, clerk, or deputy clerk of any court of the United States or a Territory or Possession thereof, or a United States district attorney, assistant attorney, marshal, deputy marshal, commissioner, or other person holding any office or employment, or position of trust or profit under the United States, directly or indirectly purchases at less than the full face value thereof, any claim against the United States for the fee, mileage, or expenses of any witness, juror, deputy marshal, or any other officer of such court, shall be fined not more than $1,000.

CHAPTER 17.—COINS AND CURRENCY

Sec.

331. Mutilation, diminution, and falsification of coins.
332. Debasement of coins; alteration of official scales, or embezzlement of metals.
333. Mutilation of national bank obligations.
334. Issuance of Federal Reserve or national bank notes.
335. Circulation of obligations of expired corporations.
336. Issuance of circulating obligations of less than $1.

§ 331. MUTILATION, DIMINUTION AND FALSIFICATION OF COINS

Whoever fraudulently defaces, mutilates, impairs, diminishes, falsifies, scales, or lightens, the gold or silver coins coined at the mints of the United States, or any foreign gold or silver coins which are by law made current or are in actual use or circulation as money within the United States; or

Whoever fraudulently possesses, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or brings into the United States, any such coin, knowing the same to be defaced, mutilated, impaired, diminished, falsified, scaled, or lightened—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 332. DEBASEMENT OF COINS; ALTERATION OF OFFICIAL SCALES, OR EMBEZZLEMENT OF METALS

If any of the gold or silver coins struck or coined at any of the mints of the United States shall be debased, or made worse as to the proportion of fine gold or fine silver therein contained, or shall be of less weight or value than the same ought to be, pursuant to law, or if any of the scales or weights used at any of the mints or assay offices of the United States shall be defaced, altered, increased, or diminished through the fault or connivance of any officer or person employed at the said mints or assay offices, with a fraudulent intent; or if any such officer or person shall embezzle any of the metals at any time committed to his charge for the purpose of being coined, or any of the coins struck or coined at the said mints, or any medals, coins, or other moneys of said mints or assay offices at any time committed to his charge, or of which he may have assumed the charge, every such officer or person who commits any of the said offenses shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 333. MUTILATION OF NATIONAL BANK OBLIGATIONS

Whoever mutilates, cuts, defaces, disfigures, or perforates, or unites or cements together, or does any other thing to any bank bill, draft, note, or other evidence of debt issued by any national banking association, or Federal Reserve bank, or the Federal Reserve System, with intent to render such bank bill, draft, note, or other evidence of debt unfit to be reissued, shall be fined not more than $100 or imprisoned not more than six months, or both.

§ 334. ISSUANCE OF FEDERAL RESERVE OR NATIONAL BANK NOTES

Whoever, being a Federal Reserve Agent, or an agent or employee of such Federal Reserve Agent, or of the Board of Governors of the Federal Reserve System, issues or puts in circulation any Federal Reserve notes, without complying with or in violation of the provisions of law regulating the issuance and circulation of such Federal Reserve notes; or

Whoever, being an officer acting under the provisions of chapter 2 of Title 12, countersigns or delivers to any national banking association, or to any other company or person, any circulating notes contemplated by that chapter except in strict accordance with its provisions—

12 U. S. C., Supp. I, ch. 2.

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 335. CIRCULATION OF OBLIGATIONS OF EXPIRED CORPORATIONS

Whoever, being a director, officer, or agent of a corporation created by Act of Congress, the charter of which has expired, or trustee thereof, or an agent of such trustee, or a person having in his possession or under his control the property of such corporation for the purpose of paying or redeeming its notes and obligations, knowingly issues,

reissues, or utters as money, or in any other way knowingly puts in circulation any bill, note, check, draft, or other security purporting to have been made by any such corporation, or by any officer thereof, or purporting to have been made under authority derived therefrom, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 336. ISSUANCE OF CIRCULATING OBLIGATIONS OF LESS THAN $1

Whoever makes, issues, circulates, or pays out any note, check, memorandum, token, or other obligation for a less sum than $1, intended to circulate as money or to be received or used in lieu of lawful money of the United States, shall be fined not more than $500 or imprisoned not more than six months, or both.

CHAPTER 19.—CONSPIRACY

Sec.
371. Conspiracy to commit offense or to defraud United States.
372. Conspiracy to impede or injure officer.

§ 371. CONSPIRACY TO COMMIT OFFENSE OR TO DEFRAUD UNITED STATES

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor.

§ 372. CONSPIRACY TO IMPEDE OR INJURE OFFICER

If two or more persons in any State, Territory, Possession, or District conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof, or to induce by like means any officer of the United States to leave the place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than $5,000 or imprisoned not more than six years, or both.

CHAPTER 21.—CONTEMPTS CONSTITUTING CRIMES

Sec.
401. Power of court.
402. Criminal contempts.

§ 401. POWER OF COURT

A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as—

(1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice;

(2) Misbehavior of any of its officers in their official transactions;

(3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

§ 402. CRIMINAL CONTEMPTS

Any person, corporation or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district

court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any State in which the act was committed, shall be prosecuted for such contempt as provided in section 3691 of this title and shall be punished by fine or imprisonment, or both.

Post, p. 844.

Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of six months.

This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law.

CHAPTER 23.—CONTRACTS

Sec.

431. Contracts by Member of Congress; exceptions.
432. Officer or employee contracting with Member of Congress.
433. Exemptions with respect to certain contracts.
434. Interested persons acting as Government agents.
435. Contracts in excess of specific appropriation.
436. Convict labor contracts.
437. Indian contracts for goods and supplies.
438. Indian contracts for services generally.
439. Indian enrollment contracts.
440. Mail contracts.
441. Postal supply contracts.
442. Printing contracts.
443. War contracts.

§ 431. CONTRACTS BY MEMBER OF CONGRESS; EXCEPTIONS

Whoever, being a Member of or Delegate to Congress, or a Resident Commissioner, either before or after he has qualified, directly or indirectly, himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertakes, executes, holds, or enjoys, in whole or in part, any contract or agreement, made or entered into in behalf of the United States or any agency thereof, by any officer or person authorized to make contracts on its behalf, shall be fined not more than $3,000.

All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced by the United States or any agency thereof, in consideration of any such contract or agreement, it shall forthwith be repaid; and in case of failure or refusal to repay the same when demanded by the proper officer of the department or agency under whose authority such contract or agreement shall have been made or entered into, suit shall at once be brought against the person so failing or refusing and his sureties for the recovery of the money so advanced.

§ 432. OFFICER OR EMPLOYEE CONTRACTING WITH MEMBER OF CONGRESS

Whoever, being an officer or employee of the United States, on behalf of the United States or any agency thereof, directly or indirectly makes or enters into any contract, bargain, or agreement, with any Member of or Delegate to Congress, or any Resident Commissioner, either before or after he has qualified, shall be fined not more than $3,000.

§ 433. EXEMPTIONS WITH RESPECT TO CERTAIN CONTRACTS

Sections 431 and 432 of this title shall not extend to any contract or agreement made or entered into, or accepted by any incorporated company for the general benefit of such corporation; nor to the purchase or sale of bills of exchange or other property where the same are ready for delivery and payment therefor is made at the time of making or entering into the contract or agreement. Nor shall the provisions of such sections apply to advances, loans, discounts, purchase or repurchase agreements, extensions, or renewals thereof, or acceptances, releases or substitutions of security therefor or other contracts or agreements made or entered into under the Reconstruction Finance Corporation Act, the Agricultural Adjustment Act, the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Farm Credit Act of 1933, or the Home Owners Loan Act of 1933, the Farmers' Home Administration Act of 1946, the Bankhead-Jones Farm Tenant Act, or to crop insurance agreements or contracts or agreements of a kind which the Secretary of Agriculture may enter into with farmers.

Any exemption permitted by this section shall be made a matter of public record.

Ante, p. 702.

47 Stat. 5; 48 Stat. 31, 41, 344, 257, 128; 39 Stat. 360; 60 Stat. 1062; 50 Stat. 522.
15 U. S. C. §§ 601-617; Supp. I, § 601 *et seq.*; 7 U. S. C. §§ 601 note, 1000; Supp. I, § 602 *et seq.*; 12 U. S. C. §§ 347, 639, 641 notes, 1461-1468; Supp. I, §§ 963a, 1462-1464.
Ante, pp. 261, 534; *post*, pp. 1101, 1209, 1239, 1247.

§ 434. INTERESTED PERSONS ACTING AS GOVERNMENT AGENTS

Whoever, being an officer, agent or member of, or directly or indirectly interested in the pecuniary profits or contracts of any corporation, joint-stock company, or association, or of any firm or partnership, or other business entity, is employed or acts as an officer or agent of the United States for the transaction of business with such business entity, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 435. CONTRACTS IN EXCESS OF SPECIFIC APPROPRIATION

Whoever, being an officer or employee of the United States, knowingly contracts for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated for such purpose, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 436. CONVICT LABOR CONTRACTS

Whoever, being an officer, employee, or agent of the United States or any department or agency thereof, contracts with any person or corporation, or permits any warden, agent, or official of any penal or correctional institution, to hire out the labor of any prisoners confined for violation of any laws of the United States, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 437. INDIAN CONTRACTS FOR GOODS AND SUPPLIES

Whoever, being an officer, employee, or agent of the United States or any department or agency thereof, has any interest, direct or indirect, in any contract made or under negotiation, with the Government or with the Indians, for the purchase or transportation or delivery of goods or supplies for the Indians, or for the removal of the Indians, or colludes with any person attempting to obtain such contract, shall be fined not more than $5,000 or imprisoned not more than six months, or both; and removed from office.

§ 438. INDIAN CONTRACTS FOR SERVICES GENERALLY

Whoever receives money contrary to sections 81 and 82 of Title 25, shall be fined not more than $1,000 or imprisoned not more than six months, or both; and also forfeit the money so received.

§ 439. INDIAN ENROLLMENT CONTRACTS

Unless the United States consents, all contracts made with any person or persons, applicants for enrollment as citizens in the Five Civilized Tribes for compensation for services in relation thereto, shall be void, and—

Whoever collects or receives any moneys from any such applicants for citizenship, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 440. MAIL CONTRACTS

Whoever, being a person employed in the Postal Service, becomes interested in any contract for carrying the mail, or acts as agent, with or without compensation, for any contractor or person offering to become a contractor in any business before the Post Office Department, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 441. POSTAL SUPPLY CONTRACTS

No contract for furnishing supplies to the Post Office Department or the Postal Service shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract, or to bid at a specified price or prices thereon.

Whoever violates this section shall be fined not more than $5,000 or imprisoned not more than one year, or both; and if the offender is a contractor for furnishing such supplies his contract may be annulled.

§ 442. PRINTING CONTRACTS

Neither the Public Printer, superintendent of printing, superintendent of binding, nor any of their assistants shall, during their continuance in office, have any interest, direct or indirect, in the publication of any newspaper or periodical, or in any printing, binding, engraving, or lithographing of any kind, or in any contract for furnishing paper or other material connected with the public printing, binding, lithographing, or engraving.

Whoever violates this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 443. WAR CONTRACTS

Whoever willfully secretes, mutilates, obliterates, or destroys—

(a) any records of a war contractor relating to the negotiation, award, performance, payment, interim financing, cancellation or other termination, or settlement of a war contract of $25,000 or more; or

(b) any records of a war contractor or purchaser relating to any disposition of termination inventory in which the consideration received by any war contractor or any government agency is $5,000 or more,

before the lapse of (1) five years after such disposition of termination inventory by such war contractor or government agency, or (2) five years after the final settlement of such war contract, or (3) five years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress, whichever applicable period is longer, shall, if a corporation, be fined not more than $50,000, and, if a natural person, be fined not more than $10,000 or imprisoned not more than five years, or both.

The Director of Contract Settlement, by regulation, may authorize

the destruction of such records upon such terms and conditions as he deems appropriate, including the requirement for the making and retaining of photographs or microphotographs, which shall have the same force and effect as the originals thereof.

The definitions of terms in section 103 of Title 41 shall apply to similar terms used in this section. 41 U. S. C., Supp. I, § 103.

CHAPTER 25—COUNTERFEITING AND FORGERY

Sec.

471. Obligations or securities of United States.
472. Uttering counterfeit obligations or securities.
473. Dealing in counterfeit obligations or securities.
474. Plates or stones for counterfeiting obligations or securities.
475. Imitating obligations or securities; advertisements.
476. Taking impressions of tools used for obligations or securities.
477. Possessing or selling impressions of tools used for obligations or securities.
478. Foreign obligations or securities.
479. Uttering counterfeit foreign obligations or securities.
480. Possessing counterfeit foreign obligations or securities.
481. Plates or stones for counterfeiting foreign obligations or securities.
482. Foreign bank notes.
483. Uttering counterfeit foreign bank notes.
484. Connecting parts of different notes.
485. Gold or silver coins or bars.
486. Uttering coins of gold, silver or other metal.
487. Making or possessing counterfeit dies for coins.
488. Making or possessing counterfeit dies for foreign coins.
489. Making or possessing likeness of coins; publisher's illustrations excepted.
490. Minor coins.
491. Tokens used as money or similar to coins.
492. Forfeiture of counterfeit paraphernalia.
493. Bonds and obligations of certain lending agencies.
494. Contractors' bonds, bids, and public records.
495. Contracts, deeds, and powers of attorney.
496. Customs entry certificates.
497. Letters patent.
498. Military or naval discharge certificates.
499. Military, naval, or official passes.
500. Money orders.
501. Postage stamps and postal cards.
502. Postage and revenue stamps of foreign governments.
503. Postmarking stamps.
504. Printing stamps for philatelic purposes.
505. Seals of courts; signatures of judges or court officers.
506. Seals of departments or agencies.
507. Ship's papers.
508. Transportation requests of Government.
509. Possessing and making plates or stones for Government transportation requests.

§ 471. OBLIGATIONS OR SECURITIES OF UNITED STATES

Whoever, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or other security of the United States, shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both.

§ 472. UTTERING COUNTERFEIT OBLIGATIONS OR SECURITIES

Whoever, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or with like intent brings into the United States or keeps in possession or conceals any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both.

§ 473. DEALING IN COUNTERFEIT OBLIGATIONS OR SECURITIES

Whoever buys, sells, exchanges, transfers, receives, or delivers any false, forged, counterfeited, or altered obligation or other security of the United States, with the intent that the same be passed, published,

or used as true and genuine, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 474. PLATES OR STONES FOR COUNTERFEITING OBLIGATIONS OR SECURITIES

Whoever, having control, custody, or possession of any plate, stone, or other thing, or any part thereof, from which has been printed, or which may be prepared by direction of the Secretary of the Treasury for the purpose of printing, any obligation or other security of the United States, uses such plate, stone, or other thing, or any part thereof, or knowingly suffers the same to be used for the purpose of printing any such or similar obligation or other security, or any part thereof, except as may be printed for the use of the United States by order of the proper officer thereof; or

Whoever makes or executes any plate, stone, or other thing in the likeness of any plate designated for the printing of such obligation or other security; or

Whoever sells any such plate, stone, or other thing, or brings into the United States any such plate, stone, or other thing, except under the direction of the Secretary of the Treasury or other proper officer, or with any other intent, in either case, than that such plate, stone, or other thing be used for the printing of the obligations or other securities of the United States; or

Whoever has in his control, custody, or possession any plate, stone, or other thing in any manner made after or in the similitude of any plate, stone, or other thing, from which any such obligation or other security has been printed, with intent to use such plate, stone, or other thing, or to suffer the same to be used in forging or counterfeiting any such obligation or other security, or any part thereof; or

Whoever has in his possession or custody, except under authority from the Secretary of the Treasury or other proper officer, any obligation or other security made or executed, in whole or in part, after the similitude of any obligation or other security issued under the authority of the United States, with intent to sell or otherwise use the same; or

Whoever prints, photographs, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such obligation or other security, or any part thereof, or sells any such engraving, photograph, print, or impression, except to the United States, or brings into the United States, any such engraving, photograph, print, or impression, except by direction of some proper officer of the United States; or

Whoever has or retains in his control or possession, after a distinctive paper has been adopted by the Secretary of the Treasury for the obligations and other securities of the United States, any similar paper adapted to the making of any such obligation or other security, except under the authority of the Secretary of the Treasury or some other proper officer of the United States—

Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both.

§ 475. IMITATING OBLIGATIONS OR SECURITIES; ADVERTISEMENTS

Whoever designs, engraves, prints, makes or executes, or utters, issues, distributes, circulates, or uses any business or professional card, notice, placard, circular, handbill, or advertisement in the likeness or similitude of any obligation or security of the United States issued under or authorized by any Act of Congress or writes, prints, or otherwise impresses upon any such instrument, obligation, or security, any business or professional card, notice, or advertisement, or any notice or advertisement whatever, shall be fined not more than $500.

§ 476. TAKING IMPRESSIONS OF TOOLS USED FOR OBLIGATIONS OR SECURITIES

Whoever, without authority from the United States, takes, procures, or makes an impression, stamp, or imprint of, from or by the use of any tool, implement, instrument, or thing used or fitted or intended to be used in printing, stamping, or impressing, or in making other tools, implements, instruments, or things to be used or fitted or intended to be used in printing, stamping, or impressing any obligation or other security of the United States, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 477. POSSESSING OR SELLING IMPRESSIONS OF TOOLS USED FOR OBLIGATIONS OR SECURITIES

Whoever, with intent to defraud, possesses, keeps, safeguards, or controls, without authority from the United States, any imprint, stamp, or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument or thing, used, fitted or intended to be used, for any of the purposes mentioned in section 476 of this title; or *Supra.*

Whoever, with intent to defraud, sells, gives, or delivers any such imprint, stamp, or impression to any other person—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 478. FOREIGN OBLIGATIONS OR SECURITIES

Whoever, within the United States, with intent to defraud, falsely makes, alters, forges, or counterfeits any bond, certificate, obligation, or other security of any foreign government, purporting to be or in imitation of any such security issued under the authority of such foreign government, or any treasury note, bill, or promise to pay, lawfully issued by such foreign government and intended to circulate as money, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 479. UTTERING COUNTERFEIT FOREIGN OBLIGATIONS OR SECURITIES

Whoever, within the United States, knowingly and with intent to defraud, utters, passes, or puts off, in payment or negotiation, any false, forged, or counterfeited bond, certificate, obligation, security, treasury note, bill, or promise to pay, mentioned in section 478 of this *Supra.* title, whether or not the same was made, altered, forged, or counterfeited within the United States, shall be fined not more than $3,000 or imprisoned not more than three years, or both.

§ 480. POSSESSING COUNTERFEIT FOREIGN OBLIGATIONS OR SECURITIES

Whoever, within the United States, knowingly and with intent to defraud, possesses or delivers any false, forged, or counterfeit bond, certificate, obligation, security, treasury note, bill, promise to pay, bank note, or bill issued by a bank or corporation of any foreign country, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 481. PLATES OR STONES FOR COUNTERFEITING FOREIGN OBLIGATIONS OR SECURITIES

Whoever, within the United States except by lawful authority, controls, holds, or possesses any plate, stone, or other thing, or any part thereof, from which has been printed or may be printed any counterfeit note, bond, obligation, or other security, in whole or in part, of any foreign government, bank, or corporation, or uses such plate, stone, or other thing, or knowingly permits or suffers the same to be used in counterfeiting such foreign obligations, or any part thereof; or

Whoever, except by lawful authority, makes or engraves any plate, stone, or other thing in the likeness or similitude of any plate, stone, or other thing designated for the printing of the genuine issues of the obligations of any foreign government, bank, or corporation; or

Whoever, except by lawful authority, prints, photographs, or makes, executes, or sells any engraving, photograph, print, or impression in the likeness of any genuine note, bond, obligation, or other security, or any part thereof, of any foreign government, bank, or corporation; or

Whoever brings into the United States any counterfeit plate, stone, or other thing, engraving, photograph, print, or other impressions of the notes, bonds, obligations, or other securities of any foreign government, bank, or corporation—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 482. FOREIGN BANK NOTES

Whoever, within the United States, with intent to defraud, falsely makes, alters, forges, or counterfeits any bank note or bill issued by a bank or corporation of any foreign country, and intended by the law or usage of such foreign country to circulate as money, such bank or corporation being authorized by the laws of such country, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 483. UTTERING COUNTERFEIT FOREIGN BANK NOTES

Whoever, within the United States, utters, passes, puts off, or tenders in payment, with intent to defraud, any such false, forged, altered, or counterfeited bank note or bill, mentioned in section 482 of this title, knowing the same to be so false, forged, altered, and counterfeited, whether or not the same was made, forged, altered, or counterfeited within the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 484. CONNECTING PARTS OF DIFFERENT NOTES

Whoever so places or connects together different parts of two or more notes, bills, or other genuine instruments issued under the authority of the United States, or by any foreign government, or corporation, as to produce one instrument, with intent to defraud, shall be guilty of forgery in the same manner as if the parts so put together were falsely made or forged, and shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 485. GOLD OR SILVER COINS OR BARS

Whoever falsely makes, forges, or counterfeits any coin or bars in resemblance or similitude of the gold or silver coins or bars coined or stamped at the mints and assay offices of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States, or are in actual use and circulation as money within the United States; or

Whoever passes, utters, publishes or sells, or attempts to pass, utter, publish, or sell, or bring into the United States, from any foreign place, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or possesses any such false, forged, or counterfeited coin or bars, knowing the same to be false, forged, or counterfeited, with intent to defraud any body politic or corporate, or any person—

Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both.

§ 486. UTTERING COINS OF GOLD, SILVER OR OTHER METAL

Whoever, except as authorized by law, makes or utters or passes, or attempts to utter or pass, any coins of gold or silver or other metal, or alloys of metals, intended for use as current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, shall be fined not more than $3,000 or imprisoned not more than five years, or both.

§ 487. MAKING OR POSSESSING COUNTERFEIT DIES FOR COINS

Whoever, without lawful authority, makes any die, hub, or mold, or any part thereof, either of steel or plaster, or any other substance, in likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining or making of any of the genuine gold, silver, nickel, bronze, copper, or other coins coined at the mints of the United States; or

Whoever, without lawful authority, possesses any such die, hub, or mold, or any part thereof, or permits the same to be used for or in aid of the counterfeiting of any such coins of the United States—

Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both.

§ 488. MAKING OR POSSESSING COUNTERFEIT DIES FOR FOREIGN COINS

Whoever, within the United States, without lawful authority, makes any die, hub, or mold, or any part thereof, either of steel or of plaster, or of any other substance, in the likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining of the genuine coin of any foreign government; or

Whoever, without lawful authority, possesses any such die, hub, or mold, or any part thereof, or conceals, or knowingly suffers the same to be used for the counterfeiting of any foreign coin—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 489. MAKING OR POSSESSING LIKENESS OF COINS; PUBLISHER'S ILLUSTRATIONS EXCEPTED

Whoever, within the United States, makes or brings therein from any foreign country, or possesses with intent to sell, give away, or in any other manner uses the same, any business or professional card, notice, placard, token, device, print, or impression, or any other thing whatsoever, in the likeness or similitude as to design, color, or the inscription thereon of any of the coins of the United States or of any foreign country issued as money, either under the authority of the United States or under the authority of any foreign government, shall be fined not more than $100.

This section shall not forbid or prevent the printing and publishing of illustrations of coins and medals or the making of the necessary plates for the same to be used in illustrating numismatic and historical books and journals and school arithmetics and the circulars of legitimate publishers and dealers in the same.

§ 490. MINOR COINS

Whoever falsely makes, forges, or counterfeits any coin in the resemblance or similitude of any of the minor coins coined at the mints of the United States; or

Whoever passes, utters, publishes, or sells, or brings into the United States, or possesses any such false, forged, or counterfeited coin, with intent to defraud any person, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 491. TOKENS USED AS MONEY OR SIMILAR TO COINS

(a) Whoever, not lawfully authorized, makes, issues, or passes any coin, card, token, or device in metal, or its compounds, which may be

intended to be used as money for any 1-cent, 2-cent, 3-cent, or 5-cent piece, authorized by law, or for coins of equal value, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) Whoever manufactures, sells, offers, or advertises for sale, or exposes or keeps with intent to furnish or sell any token, slug, disk, or other device similar in size and shape to any of the lawful coins of the United States, or any token, disk, or other device issued or authorized in connection with rationing by any agency of the United States with knowledge or reason to believe that such tokens, slugs, disks, or other devices may be used unlawfully or fraudulently to procure anything of value, or the use or enjoyment of any property or service from any automatic merchandise vending machine, postage-stamp machine, turnstile, fare box, coin-box telephone, parking meter, or other receptacle, depository, or contrivance, designed to receive or to be operated by lawful coins of the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Knowledge or reason to believe."

(c) "Knowledge or reason to believe", within the meaning of paragraph (b) of this section, may be shown by proof that any law-enforcement officer has, prior to the commission of the offense with which the defendant is charged, informed the defendant that tokens, slugs, disks, or other devices of the kind manufactured, sold, offered, or advertised for sale by him or exposed or kept with intent to furnish or sell, are being used unlawfully or fraudulently to operate certain specified automatic merchandise vending machines, postage-stamp machines, turnstiles, fare boxes, coin-box telephones, parking meters, or other receptacles, depositories, or contrivances, designed to receive or to be operated by lawful coins of the United States.

§ 492. FORFEITURE OF COUNTERFEIT PARAPHERNALIA

All counterfeits of any coins or obligations or other securities of the United States or of any foreign government, or any articles, devices, and other things made, possessed, or used in violation of this chapter or of sections 331–333, 335, 336, 642 or 1720, of this title, or any material or apparatus used or fitted or intended to be used, in the making of such counterfeits, articles, devices or things, found in the possession of any person without authority from the Secretary of the Treasury or other proper officer, shall be forfeited to the United States.

Ante, pp. 700, 701; *post*, pp. 725, 783.

Whoever, having the custody or control of any such counterfeits, material, apparatus, articles, devices, or other things, fails or refuses to surrender possession thereof upon request by any authorized agent of the Treasury Department, or other proper officer, shall be fined not more than $100 or imprisoned not more than one year, or both.

Petition for remission or mitigation of forfeiture.

Whenever, except as hereinafter in this section provided, any person interested in any article, device, or other thing, or material or apparatus seized under this section files with the Secretary of the Treasury, before the disposition thereof, a petition for the remission or mitigation of such forfeiture, the Secretary of the Treasury, if he finds that such forfeiture was incurred without willful negligence or without any intention on the part of the petitioner to violate the law, or finds the existence of such mitigating circumstances as to justify the remission or the mitigation of such forfeiture, may remit or mitigate the same upon such terms and conditions as he deems reasonable and just.

If the seizure involves offenses other than offenses against the coinage, currency, obligations or securities of the United States or any foreign government, the petition for the remission or mitigation of forfeiture shall be referred to the Attorney General, who may remit or mitigate the forfeiture upon such terms as he deems reasonable and just.

§ 493. BONDS AND OBLIGATIONS OF CERTAIN LENDING AGENCIES

Whoever falsely makes, forges, counterfeits or alters any note, bond, debenture, coupon, obligation, instrument, or writing in imitation or purporting to be in imitation of, a note, bond, debenture, coupon, obligation, instrument or writing, issued by the Reconstruction Finance Corporation, Federal Deposit Insurance Corporation, Home Owners' Loan Corporation, Farm Credit Administration, Federal Housing Administration, Federal Farm Mortgage Corporation or any land bank, intermediate credit bank, bank for cooperatives or any lending, mortgage, insurance, credit or savings and loan corporation or association authorized or acting under the laws of the United States, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

Whoever passes, utters, or publishes, or attempts to pass, utter or publish any note, bond, debenture, coupon, obligation, instrument or document knowing the same to have been falsely made, forged, counterfeited or altered, contrary to the provisions of this section, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 494. CONTRACTORS' BONDS, BIDS, AND PUBLIC RECORDS

Whoever falsely makes, alters, forges, or counterfeits any bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or

Whoever utters or publishes as true or possesses with intent to utter or publish as true, any such false, forged, altered, or counterfeited writing, knowing the same to be false, forged, altered, or counterfeited; or

Whoever transmits to, or presents at any office or to any officer of the United States, any such false, forged, altered, or counterfeited writing, knowing the same to be false, forged, altered, or counterfeited—

Shall be fined not more than $1,000 or imprisoned not more than ten years, or both.

§ 495. CONTRACTS, DEEDS, AND POWERS OF ATTORNEY

Whoever falsely makes, alters, forges, or counterfeits any deed, power of attorney, order, certificate, receipt, contract, or other writing, for the purpose of obtaining or receiving, or of enabling any other person, either directly or indirectly, to obtain or receive from the United States or any officers or agents thereof, any sum of money; or

Whoever utters or publishes as true any such false, forged, altered, or counterfeited writing, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; or

Whoever transmits to, or presents at any office or officer of the United States, any such writing in support of, or in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited—

Shall be fined not more than $1,000 or imprisoned not more than ten years, or both.

§ 496. CUSTOMS MATTERS

Whoever forges, counterfeits or falsely alters any writing made or required to be made in connection with the entry or withdrawal of imports or collection of customs duties, or uses any such writing knowing the same to be forged, counterfeited or falsely altered, shall be fined not more than $10,000 or imprisoned not more than three years, or both.

§ 497. LETTERS PATENT

Whoever falsely makes, forges, counterfeits, or alters any letters patent granted or purporting to have been granted by the President of the United States; or

Whoever passes, utters, or publishes, or attempts to pass, utter, or publish as genuine, any such letters patent, knowing the same to be forged, counterfeited or falsely altered—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 498. MILITARY OR NAVAL DISCHARGE CERTIFICATES

Whoever forges, counterfeits, or falsely alters any certificate of discharge from the military or naval service of the United States, or uses, unlawfully possesses or exhibits any such certificate, knowing the same to be forged, counterfeited, or falsely altered, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 499. MILITARY, NAVAL, OR OFFICIAL PASSES

Whoever falsely makes, forges, counterfeits, alters, or tampers with any naval, military, or official pass or permit, issued by or under the authority of the United States, or with intent to defraud uses or possesses any such pass or permit, or personates or falsely represents himself to be or not to be a person to whom such pass or permit has been duly issued, or willfully allows any other person to have or use any such pass or permit, issued for his use alone, shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 500. MONEY ORDERS

Whoever, with intent to defraud, falsely makes, forges, counterfeits, engraves, or prints any order in imitation of or purporting to be a money order issued by the Post Office Department, or by any postmaster or agent thereof; or

Whoever forges or counterfeits the signature of any postmaster, assistant postmaster, chief clerk, or clerk, upon or to any money order, or postal note, or blank therefor provided or issued by or under the direction of the Post Office Department of the United States, or of any foreign country, and payable in the United States, or any material signature or indorsement thereon, or any material signature to any receipt or certificate of identification thereof; or

Whoever falsely alters in any material respect, any such money order or postal note; or

Whoever, with intent to defraud, passes, utters or publishes, any such forged or altered money order or postal note, knowing any material signature or indorsement thereon to be false, forged, or counterfeited, or any material alteration therein to have been falsely made; or

Whoever issues any money order or postal note without having previously received or paid the full amount of money payable therefor, with the purpose of fraudulently obtaining or receiving, or fraudulently enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any officer, employee, or agent thereof, any sum of money whatever; or

Whoever, with intent to defraud the United States or any person, transmits or presents to any officer or employee, or at any office of the United States, any money order or postal note, knowing the same to contain any forged or counterfeited signature to the same, or to any material indorsement, receipt, or certificate thereon, or material alteration therein unlawfully made, or to have been unlawfully issued without previous payment of the amount required to be paid upon such issue—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 501. POSTAGE STAMPS AND POSTAL CARDS

Whoever forges or counterfeits any postage stamp, or any stamp printed upon any stamped envelope, or postal card, or any die, plate, or engraving therefor; or

Whoever makes or prints, or knowingly uses or sells, or possesses with intent to use or sell, any such forged or counterfeited postage stamp, stamped envelope, postal card, die, plate, or engraving; or

Whoever makes, or knowingly uses or sells, or possesses with intent to use or sell, any paper bearing the watermark of any stamped envelope, or postal card, or any fraudulent imitation thereof; or

Whoever makes or prints, or authorizes to be made or printed, any postage stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post Office Department, without the special authority and direction of said department; or

Whoever after such postage stamp, stamped envelope, or postal card has been printed, with intent to defraud, delivers the same to any person not authorized by an instrument in writing, duly executed under the hand of the Postmaster General and the seal of the Post Office Department, to receive it—

Shall be fined not more than $500 or imprisoned not more than five years, or both.

§ 502. POSTAGE AND REVENUE STAMPS OF FOREIGN GOVERNMENTS

Whoever forges, or counterfeits, or knowingly utters or uses any forged or counterfeit postage stamp or revenue stamp of any foreign government, shall be fined not more than $500 or imprisoned not more than five years, or both.

§ 503. POSTMARKING STAMPS

Whoever forges or counterfeits any postmarking stamp, or impression thereof with intent to make it appear that such impression is a genuine postmark, or makes or knowingly uses or sells, or possesses with intent to use or sell, any forged or counterfeited postmarking stamp, die, plate, or engraving, or such impression thereof, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 504. PRINTING STAMPS FOR PHILATELIC PURPOSES

(a) Nothing in sections 481, 492 and 502 of this title, or in any other provision of law, shall forbid or prevent the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of— *Ante*, pp. 707, 710; *supra*.

(1) foreign revenue stamps if from plates so defaced as to indicate that the illustrations are not adapted or intended for use as stamps;

(2) foreign postage stamps; or

(3) such portion of the border of a stamp of the United States as may be necessary to show minor distinctive features of the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated.

(b) Notwithstanding any other provision of law, the Secretary of the Treasury, subject to the approval of the President, may, upon finding that no hindrance to the suppression of counterfeiting and no

tendency to bring into disrepute any obligation or other security of the United States will result, by regulations, permit, to the extent and under such conditions as he may deem appropriate, the printing, publishing or importation or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of canceled or uncanceled United States postage stamps.

The Secretary, subject to the approval of the President, may amend or repeal such regulations at any time. Such regulations, and any amendment or repeal thereof, shall become effective upon publication thereof in the Federal Register or upon such date as may be specified therein if later than the date of publication.

All findings of fact made hereunder shall be final and conclusive and shall not be subject to review.

§ 505. SEALS OF COURTS; SIGNATURES OF JUDGES OR COURT OFFICERS

Whoever forges the signature of any judge, register, or other officer of any court of the United States, or of any Territory thereof, or forges or counterfeits the seal of any such court, or knowingly concurs in using any such forged or counterfeit signature or seal, for the purpose of authenticating any proceeding or document, or tenders in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 506. SEALS OF DEPARTMENTS OR AGENCIES

Whoever falsely makes, forges, counterfeits, mutilates, or alters the seal of any department or agency of the United States; or

Whoever knowingly uses, affixes, or impresses any such fraudulently made, forged, counterfeited, mutilated, or altered seal to or upon any certificate, instrument, commission, document, or paper, of any description; or

Whoever, with fraudulent intent, possesses any such seal, knowing the same to have been so falsely made, forged, counterfeited, mutilated, or altered—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 507. SHIP'S PAPERS

Whoever falsely makes, forges, counterfeits, or alters any instrument in imitation of or purporting to be, an abstract or official copy or certificate of the recording, registry, or enrollment of any vessel, in the office of any collector of the customs, or a license to any vessel for carrying on the coasting trade or fisheries of the United States, or a certificate of ownership, pass, or clearance, granted for any vessel, under the authority of the United States, or a permit, debenture, or other official document granted by any collector or other officer of the customs by virtue of his office; or

Whoever utters, publishes, or passes, or attempts to utter, publish, or pass, as true, any such false, forged, counterfeited, or falsely altered instrument, abstract, official copy, certificate, license, pass, clearance, permit, debenture, or other official document herein specified, knowing the same to be false, forged, counterfeited, or falsely altered, with an intent to defraud—

Shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 508. TRANSPORTATION REQUESTS OF GOVERNMENT

Whoever falsely makes, forges, or counterfeits in whole or in part, any form or request in similitude of the form or request provided by the Government for requesting a common carrier to furnish transportation on account of the United States or any department or agency thereof, or knowingly alters any form or request provided by the Government for requesting a common carrier to furnish transportation on account of the United States or any department or agency thereof; or

Whoever knowingly passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, any such false, forged, counterfeited, or altered form or request—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 509. POSSESSING AND MAKING PLATES OR STONES FOR GOVERNMENT TRANSPORTATION REQUESTS

Whoever, except by lawful authority, controls, holds or possesses any plate, stone, or other thing, or any part thereof, from which has been printed or may be printed any form or request for Government transportation, or uses such plate, stone, or other thing, or knowingly permits or suffers the same to be used in making any such form or request or any part of such a form or request; or

Whoever makes or engraves any plate, stone, or thing, in the likeness of any plate, stone, or thing designated for the printing of the genuine issues of the form or request for Government transportation; or

Whoever prints, photographs, or in any other manner makes, executes, or sells any engraving, photograph, print, or impression in the likeness of any genuine form or request for Government transportation, or any part thereof; or

Whoever brings into the United States or any place subject to the jurisdiction thereof, any plate, stone, or other thing, or engraving, photograph, print, or other impression of the form or request for Government transportation—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

CHAPTER 27.—CUSTOMS

Sec.

541. Entry of goods falsely classified.
542. Entry of goods by means of false statements.
543. Entry of goods for less than legal duty.
544. Relanding of goods.
545. Smuggling goods into the United States.
546. Smuggling goods into foreign countries.
547. Depositing goods in buildings on boundaries.
548. Removing or repacking goods in warehouses.
549. Removing goods from customs custody; breaking seals.
550. False claim for refund of duties.
551. Concealing or destroying invoices or other papers.
552. Officers aiding importation of obscene or treasonous books and articles.

§ 541. ENTRY OF GOODS FALSELY CLASSIFIED

Whoever knowingly effects any entry of goods, wares, or merchandise, at less than the true weight or measure thereof, or upon a false classification as to quality or value, or by the payment of less than the amount of duty legally due, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 542. ENTRY OF GOODS BY MEANS OF FALSE STATEMENTS

Whoever enters or introduces, or attempts to enter or introduce, into the commerce of the United States any imported merchandise by means of any fraudulent or false invoice, declaration, affidavit, letter,

paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance, or makes any false statement in any declaration without reasonable cause to believe the truth of such statement, or procures the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement, whether or not the United States shall or may be deprived of any lawful duties; or

Whoever is guilty of any willful act or omission whereby the United States shall or may be deprived of any lawful duties accruing upon merchandise embraced or referred to in such invoice, declaration, affidavit, letter, paper, or statement, or affected by such act or omission—

Shall be fined for each offense not more than $5,000 or imprisoned not more than two years, or both.

Nothing in this section shall be construed to relieve imported merchandise from forfeiture under other provisions of law.

"Commerce of the United States."

The term "commerce of the United States", as used in this section, shall not include commerce with the Philippine Islands, Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Guam.

§ 543. ENTRY OF GOODS FOR LESS THAN LEGAL DUTY

Whoever, being an officer of the revenue, knowingly admits to entry, any goods, wares, or merchandise, upon payment of less than the amount of duty legally due, shall be fined not more than $5,000 or imprisoned not more than two years, or both; and removed from office.

§ 544. RELANDING OF GOODS

If any merchandise entered or withdrawn for exportation without payment of the duties thereon, or with intent to obtain a drawback of the duties paid, or of any other allowances given by law on the exportation thereof, is relanded at any place in the United States without entry having been made, such merchandise shall be considered as having been imported into the United States contrary to law, and each person concerned shall be fined not more than $5,000 or imprisoned not more than two years, or both; and such merchandise shall be forfeited.

"Any place in the United States."

The term "any place in the United States", as used in this section, shall not include the Philippine Islands, Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Guam.

§ 545. SMUGGLING GOODS INTO THE UNITED STATES

Whoever knowingly and willfully, with intent to defraud the United States, smuggles, or clandestinely introduces into the United States any merchandise which should have been invoiced, or makes out or passes, or attempts to pass, through the customhouse any false, forged, or fraudulent invoice, or other document or paper; or

Whoever fraudulently or knowingly imports or brings into the United States, any merchandise contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law—

Shall be fined not more than $5,000 or imprisoned not more than two years, or both.

Proof of defendant's possession of such goods, unless explained to the satisfaction of the jury, shall be deemed evidence sufficient to authorize conviction for violation of this section.

Merchandise introduced into the United States in violation of this section shall be forfeited to the United States.

"United States."

The term "United States", as used in this section, shall not include the Philippine Islands, Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Guam.

§ 546. SMUGGLING GOODS INTO FOREIGN COUNTRIES

Any person owning in whole or in part any vessel of the United States who employs, or participates in, or allows the employment of, such vessel for the purpose of smuggling, or attempting to smuggle, or assisting in smuggling, any merchandise into the territory of any foreign government in violation of the laws there in force, if under the laws of such foreign government any penalty or forfeiture is provided for violation of the laws of the United States respecting the customs revenue, and any citizen of, or person domiciled in, or any corporation incorporated in, the United States, controlling or substantially participating in the control of any such vessel, directly or indirectly, whether through ownership of corporate shares or otherwise, and allowing the employment of said vessel for any such purpose, and any person found, or discovered to have been, on board of any such vessel so employed and participating or assisting in any such purpose, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

It shall constitute an offense under this section to hire out or charter a vessel if the lessor or charterer has knowledge or reasonable grounds for belief that the lessee or person chartering the vessel intends to employ such vessel for any of the purposes described in this section and if such vessel is, during the time such lease or charter is in effect, employed for any such purpose.

§ 547. DEPOSITING GOODS IN BUILDINGS ON BOUNDARIES

Whoever receives or deposits any merchandise in any building upon the boundary line between the United States and any foreign country, or carries any merchandise through the same, in violation of law, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 548. REMOVING OR REPACKING GOODS IN WAREHOUSES

Whoever fraudulently conceals, removes, or repacks merchandise in any bonded warehouse or fraudulently alters, defaces or obliterates any marks or numbers placed upon packages deposited in such warehouse, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

Merchandise so concealed, removed, or repacked, or packages upon which any marks or numbers have been so altered, defaced, or obliterated, shall be forfeited to the United States.

§ 549. REMOVING GOODS FROM CUSTOMS CUSTODY; BREAKING SEALS

Whoever, without authority, affixes or attaches a customs seal, fastening, or mark, or any seal, fastening, or mark purporting to be a customs seal, fastening, or mark to any vessel, vehicle, warehouse, or package; or

Whoever, without authority, willfully removes, breaks, injures, or defaces any customs seal or other fastening or mark placed upon any vessel, vehicle, warehouse, or package containing merchandise or baggage in bond or in customs custody; or

Whoever maliciously enters any bonded warehouse or any vessel or vehicle laden with or containing bonded merchandise with intent unlawfully to remove therefrom any merchandise or baggage therein, or unlawfully removes any merchandise or baggage in such vessel, vehicle, or bonded warehouse or otherwise in customs custody or control; or

Whoever receives or transports any merchandise or baggage unlawfully removed from any such vessel, vehicle, or warehouse, knowing the same to have been unlawfully removed—

Shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 550. FALSE CLAIM FOR REFUND OF DUTIES

Whoever knowingly and willfully files any false or fraudulent entry or claim for the payment of drawback, allowance, or refund of duties upon the exportation of merchandise, or knowingly or willfully makes or files any false affidavit, abstract, record, certificate, or other document, with a view to securing the payment to himself or others of any drawback, allowance, or refund of duties, on the exportation of merchandise, greater than that legally due thereon, shall be fined not more than $5,000 or imprisoned not more than two years, or both, and such merchandise or the value thereof shall be forfeited.

§ 551. CONCEALING OR DESTROYING INVOICES OR OTHER PAPERS

Whoever willfully conceals or destroys any invoice, book, or paper relating to any merchandise imported into the United States, after an inspection thereof has been demanded by the collector of any collection district; or

Whoever conceals or destroys at any time any such invoice, book, or paper for the purpose of suppressing any evidence of fraud therein contained—

Shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 552. OFFICERS AIDING IMPORTATION OF OBSCENE OR TREASONOUS BOOKS AND ARTICLES

Whoever, being an officer, agent, or employee of the United States, knowingly aids or abets any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or books, pamphlets, papers, writings, advertisements, circulars, prints, pictures, or drawings containing any matter advocating or urging treason or insurrection against the United States or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United States, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

CHAPTER 29.—ELECTIONS AND POLITICAL ACTIVITIES

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609. Maximum contributions and expenditures.
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§ 591. DEFINITIONS

When used in sections 597, 599, 602, 609 and 610 of this title— *Post*, pp. 721, 722, 723.

The term "election" includes a general or special election, and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature, but does not include a primary election or convention of a political party; "Election."

The term "candidate" means an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected; "Candidate."

The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization; "Political committee."

The term "contribution" includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, and includes a contract, promise, or agreement to make a contribution, whether or not legally enforceable; "Contribution."

The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, and includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable; "Expenditure."

The term "person" or the term "whoever" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons; "Person"; "whoever."

The term "State" includes Territory and possession of the United States. "State."

§ 592. TROOPS AT POLLS

Whoever, being an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held, unless such force be necessary to repel armed enemies of the United States, shall be fined not more than $5,000 or imprisoned not more than five years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States.

This section shall not prevent any officer or member of the armed forces of the United States from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

§ 593. INTERFERENCE BY ARMED FORCES

Whoever, being an officer or member of the Armed Forces of the United States, prescribes or fixes or attempts to prescribe or fix, whether by proclamation, order or otherwise, the qualifications of voters at any election in any State; or

Whoever, being such officer or member, prevents or attempts to prevent by force, threat, intimidation, advice or otherwise any qualified

voter of any State from fully exercising the right of suffrage at any general or special election; or

Whoever, being such officer or member, orders or compels or attempts to compel any election officer in any State to receive a vote from a person not legally qualified to vote; or

Whoever, being such officer or member, imposes or attempts to impose any regulations for conducting any general or special election in a State, different from those prescribed by law; or

Whoever, being such officer or member, interferes in any manner with an election officer's discharge of his duties—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both; and disqualified from holding any office of honor, profit or trust under the United States.

This section shall not prevent any officer or member of the Armed Forces from exercising the right of suffrage in any district to which he may belong, if otherwise qualified according to the laws of the State of such district.

§ 594. INTIMIDATION OF VOTERS

Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and Possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 595. INTERFERENCE BY ADMINISTRATIVE EMPLOYEES OF FEDERAL, STATE, OR TERRITORIAL GOVERNMENTS

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or Possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or Possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Resident Commissioner from any Territory or Possession, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any state or political subdivision thereof, or by the District of Columbia or by any Territory or Possession of the United States; or by any recognized religious, philanthropic or cultural organization.

§ 596. POLLING ARMED FORCES

Whoever, within or without the Armed Forces of the United States, polls any member of such forces, either within or without the United States, either before or after he executes any ballot under any Federal

or State law, with reference to his choice of or his vote for any candidate, or states, publishes, or releases any result of any purported poll taken from or among the members of the Armed Forces of the United States or including within it the statement of choice for such candidate or of such votes cast by any member of the Armed Forces of the United States, shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

The word "poll" means any request for information, verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form. "Poll."

§ 597. EXPENDITURES TO INFLUENCE VOTING

Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

§ 598. COERCION BY MEANS OF RELIEF APPROPRIATIONS

Whoever uses any part of any appropriation made by Congress for work relief, relief, or for increasing employment by providing loans and grants for public-works projects, or exercises or administers any authority conferred by any Appropriation Act for the purpose of interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 599. PROMISE OF APPOINTMENT BY CANDIDATE

Whoever, being a candidate, directly or indirectly promises or pledges the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

§ 600. PROMISE OF EMPLOYMENT OR OTHER BENEFIT FOR POLITICAL ACTIVITY

Whoever, directly or indirectly, promises any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any Act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 601. DEPRIVATION OF EMPLOYMENT OR OTHER BENEFIT FOR POLITICAL ACTIVITY

Whoever, except as required by law, directly or indirectly, deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political

party in any election, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 602. SOLICITATION OF POLITICAL CONTRIBUTIONS

Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than $5,000 or imprisoned not more than three years or both.

§ 603. PLACE OF SOLICITATION

Whoever, in any room or building occupied in the discharge of official duties by any person mentioned in section 602 of this title, or in any navy yard, fort, or arsenal, solicits or receives any contribution of money or other thing of value for any political purpose from any such person, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

§ 604. SOLICITATION FROM PERSONS ON RELIEF

Whoever solicits or receives or is in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose from any person known by him to be entitled to, or receiving compensation, employment, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 605. DISCLOSURE OF NAMES OF PERSONS ON RELIEF

Whoever, for political purposes, furnishes or discloses any list or names of persons receiving compensation, employment or benefits provided for or made possible by any Act of Congress appropriating, or authorizing the appropriation of funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager; and

Whoever receives any such list or names for political purposes—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 606. INTIMIDATION TO SECURE POLITICAL CONTRIBUTIONS

Supra.

Whoever, being one of the officers or employees of the United States mentioned in section 602 of this title, discharges, or promotes, or degrades, or in any manner changes the official rank or compensation of any other officer or employee, or promises or threatens so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

§ 607. MAKING POLITICAL CONTRIBUTIONS

Whoever, being an officer, clerk, or other person in the service of the United States or any department or agency thereof, directly or indirectly gives or hands over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any

political object, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

§ 608. LIMITATIONS ON POLITICAL CONTRIBUTIONS AND PURCHASES

(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

This subsection shall not apply to contributions made to or by a State or local committee or other State or local organization or to similar committees or organizations in the District of Columbia or in any Territory or Possession of the United States.

(b) Whoever purchases or buys any goods, commodities, advertising, or articles of any kind or description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate for an elective Federal office including the offices of President of the United States, and Presidential and Vice Presidential electors or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

This subsection shall not interfere with the usual and known business, trade, or profession of any candidate.

(c) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation, shall be punished as herein provided.

(d) The term "contribution", as used in this section, shall have the same meaning prescribed by section 591 of this title.

"Contribution." *Ante*, p. 719.

§ 609. MAXIMUM CONTRIBUTIONS AND EXPENDITURES

No political committee shall receive contributions aggregating more than $3,000,000, or make expenditures aggregating more than $3,000,000, during any calendar year.

For the purposes of this section, any contributions received and any expenditures made on behalf of any political committee with the knowledge and consent of the chairman or treasurer of such committee shall be deemed to be received or made by such committee.

Any violation of this section by any political committee shall be deemed also to be a violation by the chairman and the treasurer of such committee and by any other person responsible for such violation and shall be punishable by a fine of not more than $1,000 or imprisonment of not more than one year, or both; and, if the violation was willful, by a fine of not more than $10,000 or imprisonment of not more than two years, or both.

§ 610. CONTRIBUTIONS BY NATIONAL BANKS, CORPORATIONS OR LABOR ORGANIZATIONS

It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus

held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Labor organization."

For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

§ 611. CONTRIBUTIONS BY FIRMS OR INDIVIDUALS CONTRACTING WITH THE UNITED STATES

Whoever, entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

Whoever knowingly solicits any such contribution from any such person or firm, for any such purpose during any such period—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 612. PUBLICATION OR DISTRIBUTION OF POLITICAL STATEMENTS

Whoever willfully publishes or distributes any card, pamphlet, circular, poster, dodger, advertisement, writing, or other statement relating to or concerning any person who has publicly declared his intention to seek the office of President, or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to Congress, in a primary, general, or special election, or convention of a political party, or has caused or permitted his intention to do so to be publicly declared, which does not contain the names of the persons, associations, committees, and corporations responsible for the publication or distribution of the same, and the names of the officers of each such association, committee, or corporation, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CHAPTER 31.—EMBEZZLEMENT AND THEFT

Sec.
641. Public money, property or records.
642. Tools and materials for counterfeiting purposes.
643. Accounting generally for public money.
644. Banker receiving unauthorized deposit of public money.
645. Court officers generally.
646. Court officers depositing registry moneys.
647. Receiving loan from court officer.
648. Custodians, generally, misusing public funds.
649. Custodians failing to deposit moneys; persons affected.
650. Depositaries failing to safeguard deposits.
651. Disbursing officer falsely certifying full payment.
652. Disbursing officer paying lesser in lieu of lawful amount.
653. Disbursing officer misusing public funds.
654. Officer or employee of United States converting property of another.
655. Theft by bank examiner.
656. Theft, embezzlement or misapplication by bank officer or employee.
657. Lending, credit and insurance institutions.
658. Property mortgaged or pledged to farm credit agencies.
659. Interstate or foreign baggage, express or freight; State prosecutions.
660. Carrier's funds derived from commerce; State prosecutions.
661. Within special maritime and territorial jurisdiction.
662. Receiving stolen property, within special maritime and territorial jurisdiction.
663. Solicitation or use of gifts.

§ 641. PUBLIC MONEY, PROPERTY OR RECORDS

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both; but if the value of such property does not exceed the sum of $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Value."

The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

§ 642. TOOLS AND MATERIALS FOR COUNTERFEITING PURPOSES

Whoever, without authority from the United States, secretes within, or embezzles, or takes and carries away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any tool, implement, or thing used or fitted to be used in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation on behalf of the United States; or

Whoever, without such authority, so secretes, embezzles, or takes and carries away any paper, parchment, or other material prepared and intended to be used in the making of any such papers, instruments, obligations, devices, or documents; or

Whoever, without such authority, so secretes, embezzles, or takes and carries away any paper, parchment, or other material printed or stamped, in whole or part, and intended to be prepared, issued, or put

in circulation on behalf of the United States as one of such papers, instruments, or obligations, or printed or stamped, in whole or part, in the similitude of any such paper, instrument, or obligation, whether intended to issue or put the same in circulation or not—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 643. ACCOUNTING GENERALLY FOR PUBLIC MONEY

Whoever, being an officer, employee or agent of the United States or of any department or agency thereof, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law is guilty of embezzlement, and shall be fined in a sum equal to the amount of the money embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 644. BANKER RECEIVING UNAUTHORIZED DEPOSIT OF PUBLIC MONEY

Whoever, not being an authorized depositary of public moneys, knowingly receives from any disbursing officer, or collector of internal revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or uses, transfers, converts, appropriates, or applies any portion of the public money for any purpose not prescribed by law is guilty of embezzlement and shall be fined not more than the amount so embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 645. COURT OFFICERS GENERALLY

Whoever, being a United States marshal, clerk, receiver, referee, trustee, or other officer of a United States court, or any deputy, assistant, or employee of any such officer, retains or converts to his own use or to the use of another or after demand by the party entitled thereto, unlawfully retains any money coming into his hands by virtue of his official relation, position or employment, is guilty of embezzlement and shall, where the offense is not otherwise punishable by enactment of Congress, be fined not more than double the value of the money so embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

It shall not be a defense that the accused person had any interest in such moneys or fund.

§ 646. COURT OFFICERS DEPOSITING REGISTRY MONEYS

Whoever, being a clerk or other officer of a court of the United States, fails to deposit promptly any money belonging in the registry of the court, or paid into court or received by the officers thereof, with the Treasurer or a designated depositary of the United States, in the name and to the credit of such court, or retains or converts to his own use or to the use of another any such money, is guilty of embezzlement and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

This section shall not prevent the delivery of any such money upon security, according to agreement of parties, under the direction of the court.

§ 647. RECEIVING LOAN FROM COURT OFFICER

Whoever knowingly receives, from a clerk or other officer of a court of the United States, as a deposit, loan, or otherwise, any money belonging in the registry of such court, is guilty of embezzlement, and shall be fined not more than the amount embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 648. CUSTODIANS, GENERALLY, MISUSING PUBLIC FUNDS

Whoever, being an officer or other person charged by any Act of Congress with the safe-keeping of the public moneys, loans, uses, or converts to his own use, or deposits in any bank or exchanges for other funds, except as specially allowed by law, any portion of the public moneys intrusted to him for safe-keeping, is guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged, and shall be fined in a sum equal to the amount of money so embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 649. CUSTODIANS FAILING TO DEPOSIT MONEYS; PERSONS AFFECTED

(a) Whoever, having money of the United States in his possession or under his control, fails to deposit it with the Treasurer or some public depositary of the United States, when required so to do by the Secretary of the Treasury or the head of any other proper department or agency or by the General Accounting Office, is guilty of embezzlement, and shall be fined in a sum equal to the amount of money embezzled or imprisoned not more than ten years, or both; but if the amount embezzled is $100 or less, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) This section and sections 643, 648, 650 and 653 of this title shall apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be charged as receivers or depositaries of the same.

Ante, p. 726; *supra*; *infra*; *post*, p. 728.

§ 650. DEPOSITARIES FAILING TO SAFEGUARD DEPOSITS

If the Treasurer of the United States or any public depositary fails to keep safely all moneys deposited by any disbursing officer or disbursing agent, as well as all moneys deposited by any receiver, collector, or other person having money of the United States, he is guilty of embezzlement, and shall be fined in a sum equal to the amount of money so embezzled or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 651. DISBURSING OFFICER FALSELY CERTIFYING FULL PAYMENT

Whoever, being an officer charged with the disbursement of the public moneys, accepts, receives, or transmits to the General Accounting Office to be allowed in his favor any receipt or voucher from a creditor of the United States without having paid the full amount specified therein to such creditor in such funds as the officer received for disbursement, or in such funds as he may be authorized by law to take in exchange, shall be fined in double the amount so withheld or imprisoned not more than two years, or both; but if the amount withheld does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 652. DISBURSING OFFICER PAYING LESSER IN LIEU OF LAWFUL AMOUNT

Whoever, being an officer, clerk, agent, employee, or other person charged with the payment of any appropriation made by Congress,

pays to any clerk or other employee of the United States, or of any department or agency thereof, a sum less than that provided by law, and requires such employee to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld or imprisoned not more than two years, or both; but if the amount embezzled is $100 or less, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 653. DISBURSING OFFICER MISUSING PUBLIC FUNDS

Whoever, being a disbursing officer of the United States, or any department or agency thereof, or a person acting as such, in any manner converts to his own use, or loans with or without interest, or deposits in any place or in any manner, except as authorized by law, any public money intrusted to him; or, for any purpose not prescribed by law, withdraws from the Treasury or any authorized depositary, or transfers, or applies, any portion of the public money intrusted to him, is guilty of embezzlement of the money so converted, loaned, deposited, withdrawn, transferred, or applied, and shall be fined not more than the amount embezzled or imprisoned not more than ten years, or both; but if the amount embezzled is $100 or less, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 654. OFFICER OR EMPLOYEE OF UNITED STATES CONVERTING PROPERTY OF ANOTHER

Whoever, being an officer or employee of the United States or of any department or agency thereof, embezzles or wrongfully converts to his own use the money or property of another which comes into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or employee, shall be fined not more than the value of the money and property thus embezzled or converted, or imprisoned not more than ten years, or both; but if the sum embezzled is $100 or less, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 655. THEFT BY BANK EXAMINER

Whoever, being a bank examiner or assistant examiner, steals, or unlawfully takes, or unlawfully conceals any money, note, draft, bond, or security or any other property of value in the possession of any bank or banking institution which is a member of the Federal Reserve System or which is insured by the Federal Deposit Insurance Corporation, or from any safe deposit box in or adjacent to the premises of such bank, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the amount taken or concealed does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both; and shall be disqualified from holding office as a national bank examiner or Federal Deposit Insurance Corporation examiner.

This section shall apply to all public examiners and assistant examiners who examine member banks of the Federal Reserve System or banks the deposits of which are insured by the Federal Deposit Insurance Corporation, whether appointed by the Comptroller of the Currency, by the Board of Governors of the Federal Reserve System, by a Federal Reserve Agent, by a Federal Reserve bank, or by the Federal Deposit Insurance Corporation, or appointed or elected under the laws of any State; but shall not apply to private examiners or assistant examiners employed only by a clearing-house association or by the directors of a bank.

§ 656. THEFT, EMBEZZLEMENT, OR MISAPPLICATION BY BANK OFFICER OR EMPLOYEE

Whoever, being an officer, director, agent or employee of, or connected in any capacity with any Federal Reserve bank, member bank, national bank or insured bank, or a receiver of a national bank, or any agent or employee of the receiver, or a Federal Reserve Agent, or an agent or employee of a Federal Reserve Agent or of the Board of Governors of the Federal Reserve System, embezzles, abstracts, purloins or willfully misapplies any of the moneys, funds or credits of such bank or any moneys, funds, assets or securities intrusted to the custody or care of such bank, or to the custody or care of any such agent, officer, director, employee or receiver, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the amount embezzled, abstracted, purloined or misapplied does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"National bank." "Member bank." "Insured bank."

As used in this section, the term "national bank" is synonymous with "national banking association"; "member bank" means and includes any national bank, state bank, or bank and trust company which has become a member of one of the Federal Reserve banks; and "insured bank" includes any bank, banking association, trust company, savings bank, or other banking institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

§ 657. LENDING, CREDIT AND INSURANCE INSTITUTIONS

Whoever, being an officer, agent or employee of or connected in any capacity with the Reconstruction Finance Corporation, Federal Deposit Insurance Corporation, Home Owners' Loan Corporation, Farm Credit Administration, Federal Housing Administration, Federal Farm Mortgage Corporation, Federal Crop Insurance Corporation, Farmers' Home Corporation or any land bank, intermediate credit bank, bank for cooperatives or any lending, mortgage, insurance, credit or savings and loan corporation or association authorized or acting under the laws of the United States, and whoever, being a receiver of any such institution, or agent or employee of the receiver, embezzles, abstracts, purloins or willfully misapplies any moneys, funds, credits, securities or other things of value belonging to such institution, or pledged or otherwise intrusted to its care, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the amount or value embezzled, abstracted, purloined or misapplied does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 658. PROPERTY MORTGAGED OR PLEDGED TO FARM CREDIT AGENCIES

Whoever, with intent to defraud, knowingly conceals, removes, disposes of, or converts, to his own use or to that of another, any property mortgaged or pledged to, or held by, the Farm Credit Administration, any Federal intermediate credit bank, or the Federal Farm Mortgage Corporation, Federal Crop Insurance Corporation, Farmers' Home Corporation, or any production credit corporation or corporation in which a production credit corporation holds stock, any regional agricultural credit corporation, or any bank for cooperatives, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the value of such property does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 659. INTERSTATE OR FOREIGN BAGGAGE, EXPRESS OR FREIGHT; STATE PROSECUTIONS

Whoever embezzles, steals, or unlawfully takes, carries away, or conceals, or by fraud or deception obtains from any railroad car, wagon,

motortruck, or other vehicle, or from any station, station house, platform or depot or from any steamboat, vessel, or wharf, or from any aircraft, air terminal, airport, aircraft terminal or air navigation facility with intent to convert to his own use any goods or chattels moving as or which are a part of or which constitute an interstate or foreign shipment of freight or express; or

Whoever buys or receives or has in his possession any such goods or chattels, knowing the same to have been stolen; or

Whoever embezzles, steals, or unlawfully takes, carries away, or by fraud or deception obtains with intent to convert to his own use any baggage which shall have come into the possession of any common carrier for transportation in interstate or foreign commerce or breaks into, steals, takes, carries away, or conceals any of the contents of such baggage, or buys, receives, or has in his possession any such baggage or any article therefrom of whatever nature, knowing the same to have been embezzled or stolen; or

Whoever embezzles, steals, or unlawfully takes by any fraudulent device, scheme, or game, from any railroad car, bus, vehicle, steamboat, vessel, or aircraft operated by any common carrier moving in interstate or foreign commerce or from any passenger thereon any money, baggage, goods, or chattels, or who buys, receives, or has in his possession any such money, baggage, goods, or chattels, knowing the same to have been stolen—

Penalty.

Shall in each case be fined not more than $5,000 or imprisoned not more than ten years, or both; but if the amount or value of such money, baggage, goods or chattels does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

District in which offense deemed committed.

The offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any district in which the defendant may have taken or been in possession of the said money, baggage, goods, or chattels.

The carrying or transporting of any such money, freight, express, baggage, goods, or chattels in interstate or foreign commerce, knowing the same to have been stolen, shall constitute a separate offense and subject the offender to the penalties under this section for unlawful taking, and the offense shall be deemed to have been committed in any district into which such money, freight, express, baggage, goods, or chattels shall have been removed or into which the same shall have been brought by such offender.

Waybill, etc., as evidence.

To establish the interstate or foreign commerce character of any shipment in any prosecution under this section the waybill or other shipping document of such shipment shall be prima facie evidence of the place from which and to which such shipment was made.

A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution under this section for the same act or acts.

§ 660. CARRIER'S FUNDS DERIVED FROM COMMERCE; STATE PROSECUTIONS

Whoever, being a president, director, officer, or manager of any firm, association, or corporation engaged in commerce as a common carrier, or whoever, being an employee of such common carrier riding in or upon any railroad car, motortruck, steamboat, vessel, aircraft or other vehicle of such carrier moving in interstate commerce, embezzles, steals, abstracts, or willfully misapplies, or willfully permits to be misapplied, any of the moneys, funds, credits, securities, property, or assets of such firm, association, or corporation arising or accruing from, or used in, such commerce, in whole or in part, or willfully or knowingly converts the same to his own use or to the use of another, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

The offense shall be deemed to have been committed not only in the district where the violation first occurred but also in any district in which the defendant may have taken or had possession of such moneys, funds, credits, securities, property or assets.

A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

§ 661. WITHIN SPECIAL MARITIME AND TERRRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, takes and carries away, with intent to steal or purloin, any personal property of another shall be punished as follows:

If the property taken is of a value exceeding $100, or is taken from the person of another, by a fine of not more than $5,000, or imprisonment for not more than five years, or both; in all other cases, by a fine of not more than $1,000 or by imprisonment not more than one year, or both.

If the property stolen consists of any evidence of debt, or other written instrument, the amount of money due thereon, or secured to be paid thereby and remaining unsatisfied, or which in any contingency might be collected thereon, or the value of the property the title to which is shown thereby, or the sum which might be recovered in the absence thereof, shall be the value of the property stolen.

§ 662. RECEIVING STOLEN PROPERTY WITHIN SPECIAL MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, buys, receives, or conceals any money, goods, bank notes, or other thing which may be the subject of larceny, which has been feloniously taken, stolen, or embezzled, from any other person, knowing the same to have been so taken, stolen, or embezzled, shall be fined not more than $1,000 or imprisoned not more than three years, or both; but if the amount or value of thing so taken, stolen or embezzled does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 663. SOLICITATION OR USE OF GIFTS

Whoever solicits any gift of money or other property, and represents that such gift is being solicited for the use of the United States, with the intention of embezzling, stealing, or purloining such gift, or converting the same to any other use or purpose, or whoever, having come into possession of any money or property which has been donated by the owner thereof for the use of the United States, embezzles, steals or purloins such money or property, or converts the same to any other use or purpose, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

CHAPTER 33.—EMBLEMS, INSIGNIA AND NAMES

Sec.

701. Official badges, identification cards, other insignia.
702. Uniform of Army, Navy, Marine Corps, Coast Guard, and Public Health Service.
703. Uniform of friendly nation.
704. Military medals or decorations.
705. Badge or medal of veterans' organizations.
706. Red Cross.
707. 4–H Club emblem fraudulently used.
708. Swiss Confederation coat of arms.
709. False advertising or misuse of names to indicate Federal agency.

§ 701. OFFICIAL BADGES, IDENTIFICATION CARDS, OTHER INSIGNIA

Whoever manufactures, sells, or possesses any badge, identification card, or other insignia, of the design prescribed by the head of any

department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof, or photographs, prints, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or any colorable imitation thereof, except as authorized under regulations made pursuant to law, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 702. UNIFORM OF ARMY, NAVY, MARINE CORPS, COAST GUARD AND PUBLIC HEALTH SERVICE

Whoever, without authority, wears the uniform or a distinctive part thereof or anything similar to a distinctive part of the uniform of the Army, Navy, Marine Corps, Coast Guard, Public Health Service or any auxiliary of such, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 703. UNIFORM OF FRIENDLY NATION

Whoever, within the jurisdiction of the United States, with intent to deceive or mislead, wears any naval, military, police, or other official uniform, decoration, or regalia of any foreign state, nation, or government with which the United States is at peace, or anything so nearly resembling the same as to be calculated to deceive, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 704. MILITARY MEDALS OR DECORATIONS

Whoever knowingly wears, manufactures, or sells any decoration or medal authorized by Congress for the Armed Forces of the United States, or any of the service medals or badges awarded by the War or Navy Departments, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 705. BADGE OR MEDAL OF VETERANS' ORGANIZATIONS

Whoever knowingly manufactures, reproduces, sells or purchases for resale, either separately or on or appended to, any article of merchandise manufactured or sold, any badge, medal, emblem, or other insignia or any colorable imitation thereof, of any veterans' organization incorporated by enactment of Congress, or knowingly prints, lithographs, engraves or otherwise reproduces on any poster, circular, periodical, magazine, newspaper, or other publication, or circulates or distributes any such printed matter bearing a reproduction of such badge, medal, emblem, or other insignia or any colorable imitation thereof, except when authorized under rules and regulations prescribed by any such organization, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 706. RED CROSS

Whoever wears or displays the sign of the Red Cross or any insignia colored in imitation thereof for the fraudulent purpose of inducing the belief that he is a member of or an agent for the American National Red Cross; or

Whoever, whether a corporation, association or person, other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States, uses the emblem of the Greek red cross on a white ground, or any sign or insignia made or colored in imitation thereof or the words "Red Cross" or "Geneva Cross" or any combination of these words—

Shall be fined not more than $250 or imprisoned not more than six months, or both.

This section shall not make unlawful the use of any such emblem, sign, insignia or words which was lawful on the date of enactment of this title.

§ 707. 4–H CLUB EMBLEM FRAUDULENTLY USED

Whoever, with intent to defraud, wears or displays the sign or emblem of the 4–H clubs, consisting of a green four-leaf clover with stem, and the letter H in white or gold on each leaflet, or any insignia in colorable imitation thereof, for the purpose of inducing the belief that he is a member of, associated with, or an agent or representative for the 4–H clubs; or

Whoever, whether an individual, partnership, corporation or association, other than the 4–H clubs and those duly authorized by them, the representatives of the United States Department of Agriculture, the land grant colleges, and persons authorized by the Secretary of Agriculture, uses, within the United States, such emblem or any sign, insignia, or symbol in colorable imitation thereof, or the words "4–H Club" or "4–H Clubs" or any combination of these or other words or characters in colorable imitation thereof—

Shall be fined not more than $250 or imprisoned not more than six months, or both.

This section shall not make unlawful the use of any such emblem, sign, insignia or words which was lawful on the date of enactment of this title.

§ 708. SWISS CONFEDERATION COAT OF ARMS

Whoever, whether a corporation, partnership, unincorporated company, association, or person within the United States, willfully uses as a trade mark, commercial label, or portion thereof, or as an advertisement or insignia for any business or organization or for any trade or commercial purpose, the coat of arms of the Swiss Confederation, consisting of an upright white cross with equal arms and lines on a red ground, or any simulation thereof, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 709. FALSE ADVERTISING OR MISUSE OF NAMES TO INDICATE FEDERAL AGENCY

Whoever, except as permitted by the laws of the United States, uses the words "national", "Federal", "United States", "reserve", or "Deposit Insurance" as part of the business or firm name of a person, corporation, partnership, business trust, association or other business entity engaged in the banking, loan, building and loan, brokerage, factorage, insurance, indemnity, savings or trust business; or

Whoever falsely advertises or represents, or publishes or displays any sign, symbol or advertisement reasonably calculated to convey the impression that a nonmember bank, banking association, firm or partnership is a member of the Federal reserve system; or

Whoever uses the words "Federal Deposit Insurance Corporation" or a combination of any three of these four words, as the name or a part thereof under which he or it does business, or advertises or otherwise represents falsely by any device whatsoever that deposit liabilities are insured or guaranteed by the Federal Deposit Insurance Corporation, or by the United States, or any instrumentality thereof, or falsely advertises or otherwise represents the extent or manner in which such deposit liabilities are insured by the Federal Deposit Insurance Corporation; or

Whoever, not being organized under chapter 7 of Title 12, advertises or represents that it makes Federal Farm loans or advertises

12 U. S. C., Supp. I, ch. 7.

12 U. S. C., Supp. I, ch. 7.

or offers for sale as Federal Farm loan bonds any bond not issued under chapter 7 of Title 12, or uses the word "Federal" or the words "United States" or any other words implying Government ownership, obligation or supervision in advertising or offering for sale any bond, note, mortgage or other security not issued by the Government of the United States under the provisions of said chapter 7 or some other Act of Congress; or

Whoever uses the words "Federal Home Loan Bank" or any combination or variation of these words alone or with other words as a business name or part of a business name, or falsely publishes, advertises or represents by any device or symbol or other means reasonably calculated to convey the impression that he or it is a Federal Home Loan Bank or member of or subscriber for the stock of a Federal Home Loan Bank; or

Whoever uses the words "National Agricultural Credit Corporation" as part of the business or firm name of a person, corporation, partnership, business trust, association or other business entity not organized under the laws of the United States as a National Agricultural Credit Corporation; or

Whoever uses the words "Federal intermediate credit bank" as part of the business or firm name for any person, corporation, partnership, business trust, association or other business entity not organized as an intermediate credit bank under the laws of the United States; or

Whoever uses as a firm or business name the words "Federal Housing," "National Housing" or "United States Housing Authority" or any combination or variation of those words alone or with other words reasonably calculated to convey the false impression that such name or business has some connection with, or authorization from the Federal Housing Administration, the Government of the United States or any agency thereof, which does not in fact exist, or falsely advertises by any device whatsoever that any project, business or product has been in any way indorsed, authorized or approved by the Federal Housing Administration, the Government of the United States or any agency thereof; or

Whoever uses as a firm or business name the words "Reconstruction Finance Corporation" or any combination or variation of these words—

Shall be punished as follows: a corporation, partnership, business trust, association, or other business entity, by a fine of not more than $1,000; an officer or member thereof participating or knowingly acquiescing in such violation or any individual violating this section, by a fine of not more than $1,000 or imprisonment for not more than one year, or both.

This section shall not make unlawful the use of any name or title which was lawful on the date of enactment of this title.

A violation of this section may be enjoined at the suit of the United States Attorney, upon complaint by any duly authorized representative of any department or agency of the United States.

CHAPTER 35—ESCAPE AND RESCUE

Sec.

751. Prisoners in custody of institution or officer.
752. Instigating or assisting escape.
753. Rescue to prevent execution.
754. Rescue of body of executed offender.
755. Officer permitting escape.
756. Internee of belligerent nation.
757. Prisoners of war or enemy aliens.

§ 751. PRISONERS IN CUSTODY OF INSTITUTION OR OFFICER

Whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, or from any institution in which he is confined by direction of the Attorney General,

or from any custody under or by virtue of any process issued under the laws of the United States by any court, judge, or commissioner, or from the custody of an officer or employee of the United States pursuant to lawful arrest, shall, if the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both; or if the custody or confinement is for extradition or by virtue of an arrest or charge of or for a misdemeanor, and prior to conviction, be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 752. INSTIGATING OR ASSISTING ESCAPE

Whoever rescues or attempts to rescue or instigates, aids or assists the escape of any person arrested upon a warrant or other process issued under any law of the United States, or committed to the custody of the Attorney General or to any institution by his direction, shall, if the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense, be fined not more than $5,000 or imprisoned not more than five years, or both; or, if the custody or confinement is for extradition or by virtue of an arrest or charge of or for a misdemeanor, and prior to conviction, be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 753. RESCUE TO PREVENT EXECUTION

Whoever, by force, sets at liberty or rescues any person found guilty in any court of the United States of any capital crime, while going to execution or during execution, shall be fined not more than $25,000 or imprisoned not more than twenty-five years, or both.

§ 754. RESCUE OF BODY OF EXECUTED OFFENDER

Whoever, by force, rescues or attempts to rescue, from the custody of any marshal or his officers, the dead body of an executed offender, while it is being conveyed to a place of dissection, as provided by section 3567 of this title, or by force rescues or attempts to rescue such body from the place where it has been deposited for dissection in pursuance of said section 3567, shall be fined not more than $100 or imprisoned not more than one year, or both.

Post, p. 838.

§ 755. OFFICER PERMITTING ESCAPE

Whoever, having in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, voluntarily suffers such prisoner to escape, shall be fined not more than $2,000 or imprisoned not more than two years, or both; or if he negligently suffers such person to escape, he shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 756. INTERNEE OF BELLIGERENT NATION

Whoever, within the jurisdiction of the United States, aids or entices any person belonging to the armed forces of a belligerent nation or faction who is interned in the United States in accordance with the law of nations, to escape or attempt to escape from the jurisdiction of the United States or from the limits of internment prescribed, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 757. PRISONERS OF WAR OR ENEMY ALIENS

Whoever procures the escape of any prisoner of war held by the United States or any of its allies, or the escape of any person apprehended or interned as an enemy alien by the United States or any of its allies, or advises, connives at, aids, or assists in such escape, or aids, relieves, transports, harbors, conceals, shelters, protects, holds correspondence with, gives intelligence to, or otherwise assists any such

prisoner of war or enemy alien, after his escape from custody, knowing him to be such prisoner of war or enemy alien, or attempts to commit or conspires to commit any of the above acts, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

The provisions of this section shall be in addition to and not in substitution for any other provision of law.

CHAPTER 37.—ESPIONAGE AND CENSORSHIP

Sec.

791. Scope of chapter.
792. Harboring or concealing persons.
793. Gathering, transmitting or losing defense information.
794. Gathering or delivering defense information to aid foreign government.
795. Photographing and sketching defense installations.
796. Use of aircraft for photographing defense installations.
797. Publication and sale of photographs of defense installations.

§ 791. SCOPE OF CHAPTER

This chapter shall apply within the admiralty and maritime jurisdiction of the United States and on the high seas, as well as within the United States.

§ 792. HARBORING OR CONCEALING PERSONS

Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under sections 793 or 794 of this title, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

Infra; post, p. 737.

§ 793. GATHERING, TRANSMITTING OR LOSING DEFENSE INFORMATION

Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, departments or agencies, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or any department or agency thereof, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any other prohibited place so designated by the President by proclamation in time of war or in case of national emergency in which anything for the use of the Army or Navy is being prepared or constructed or stored, information as to which the President has determined would be prejudicial to the national defense; or

Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or

Whoever, for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts to receive or obtain it, that it has been or will

be obtained, taken, made or disposed of by any person contrary to the provisions of this chapter; or

Whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or

Whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 794. GATHERING OR DELIVERING DEFENSE INFORMATION TO AID FOREIGN GOVERNMENT

(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be imprisoned not more than twenty years.

(b) Whoever violates subsection (a) in time of war shall be punished by death or by imprisonment for not more than thirty years.

(c) Whoever, in time of war, with intent that the same shall be communicated to the enemy, collects, records, publishes, or communicates, or attempts to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years.

(d) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy. Conspiracy.

§ 795. PHOTOGRAPHING AND SKETCHING DEFENSE INSTALLATIONS

(a) Whenever, in the interests of national defense, the President defines certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station, or naval vessels, military and naval aircraft, and any

separate military or naval command concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary.

(b) Whoever violates this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 796. USE OF AIRCRAFT FOR PHOTOGRAPHING DEFENSE INSTALLATIONS

Whoever uses or permits the use of an aircraft or any contrivance used, or designed for navigation or flight in the air, for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of section 795 of this title, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Ante, p. 737.

§ 797. PUBLICATION AND SALE OF PHOTOGRAPHS OF DEFENSE INSTALLATIONS

On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under section 795 of this title, whoever reproduces, publishes, sells, or gives away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CHAPTER 39.—EXPLOSIVES AND COMBUSTIBLES

Sec.

831. Definitions.
832. Transportation of dynamite, powder and fuses.
833. Transportation of nitroglycerin.
834. Marking packages containing explosives.
835. Regulations by Interstate Commerce Commission.

§ 831. DEFINITIONS

As used in this chapter—

"Detonating fuzes." "Detonating fuzes" means fuzes used in naval or military service to detonate the high-explosive bursting charges of projectiles, mines, bombs, or torpedoes;

"Fuzes." "Fuzes" means devices used in igniting the bursting charges of projectiles;

"Primers." "Primers" means devices used in igniting the propelling powder charges of ammunition;

"Fuses." "Fuses" means the slow-burning fuses used commercially to convey fire to an explosive combustible mass slowly or without danger to the person lighting same;

"Fusees." "Fusees" means the fusees ordinarily used on steamboats and railroads as night signals.

§ 832. TRANSPORTATION OF DYNAMITE, POWDER AND FUSES

Whoever knowingly transports, carries, or conveys within the limits of the jurisdiction of the United States, any high explosive, such as and including, dynamite, blasting caps, detonating fuzes, black powder, gunpowder, or other like explosive, on any car or vehicle of any description operated in the transportation of passengers by a common carrier engaged in interstate or foreign commerce, which car or vehicle is carrying passengers for hire, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily

injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

However, under this section, it shall be lawful to transport on any such car or vehicle, smokeless powder, primers, fuses, not including detonating fuzes, fireworks, or other similar explosives, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single car or vehicle; but such explosives shall not be carried in that part of a car or vehicle which is being used for the transportation of passengers for hire. Also, it shall be lawful to transport on any such car or vehicle small-arms ammunition in any quantity, and such fusees, torpedoes, rockets, or other signal devices as may be essential to promote safety in operation. This section shall not prevent the transportation of military or naval forces with their accompanying munitions of war on passenger-equipment cars or vehicles.

§ 833. TRANSPORTATION OF NITROGLYCERIN

Whoever knowingly transports, carries, or conveys within the jurisdiction of the United States, liquid nitroglycerin, fulminate in bulk in dry condition, or other like explosive, on any car or vehicle of any description operated in the transportation of passengers or property by land or water by a common carrier engaged in interstate or foreign commerce, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 834. MARKING PACKAGES CONTAINING EXPLOSIVES

Whoever knowingly delivers to any common carrier engaged in interstate or foreign commerce by land or water, or carries upon any car or vehicle operated by any common carrier engaged in interstate or foreign commerce by land any explosive, or other dangerous article, specified in section 832 of this title, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier in writing of the true character thereof, at or before the time such delivery or carriage is made, or without plainly marking on the outside of every package containing explosives or other dangerous articles the contents thereof, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

Ante, p. 738.

§ 835. REGULATIONS BY INTERSTATE COMMERCE COMMISSION

The Interstate Commerce Commission shall formulate regulations for the safe transportation within the limits of the jurisdiction of the United States of explosives and other dangerous articles, including flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, which shall be binding upon all common carriers engaged in interstate or foreign commerce which transport explosives or other dangerous articles by land, and upon all shippers making shipments of explosives or other dangerous articles via any common carrier engaged in interstate or foreign commerce by land or water.

The commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions.

Such regulations shall be in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to

determine whether the material when offered is in proper condition to transport.

Such regulations, as well as all changes or modifications thereof, shall, unless a shorter time is authorized by the commission, take effect ninety days after their formulation and publication by said commission and shall be in effect until reversed, set aside, or modified.

Ante, pp. 738, 739.

In the execution of sections 831–835 of this title the Interstate Commerce Commission may utilize the services of the Bureau for the Safe Transportation of Explosives and Other Dangerous Articles, and may avail itself of the advice and assistance of any department, commission, or board of the Government, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law.

Whoever knowingly violates any such regulation shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from such violation, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

CHAPTER 41—EXTORTION AND THREATS

Sec.
871. Threats against President.
872. Extortion by officers or employees of the United States.
873. Blackmail.
874. Kickbacks from public works employees.
875. Interstate communications.
876. Mailing threatening communications.
877. Mailing threatening communications from foreign country.

§ 871. Threats against President

Whoever knowingly and willfully deposits for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, or knowingly and willfully otherwise makes any such threat against the President, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 872. Extortion by officers or employees of the United States

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such under color or pretense of office or employment, commits or attempts an act of extortion, shall be fined not more than $5,000 or imprisoned not more than three years, or both; but if the amount so extorted or demanded does not exceed $100, he shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 873. Blackmail

Whoever, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demands or receives any money or other valuable thing, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

§ 874. Kickbacks from public works employees

Whoever, by force, intimidation, or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed in the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract of employment, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 875. INTERSTATE COMMUNICATIONS

(a) Whoever transmits in interstate commerce any communication containing any demand or request for a ransom or reward for the release of any kidnapped person, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

(b) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

(c) Whoever transmits in interstate commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined not more than $500 or imprisoned not more than two years, or both.

§ 876. MAILING THREATENING COMMUNICATIONS

Whoever knowingly deposits in any post office or authorized depository for mail matter, to be sent or delivered by the Post Office Department or knowingly causes to be delivered by the Post Office Department according to the direction thereon, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any demand or request for ransom or reward for the release of any kidnaped person, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

Whoever, with intent to extort from any person any money or other thing of value, so deposits, or causes to be delivered, as aforesaid, any communication containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits or causes to be delivered as aforesaid, any communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits or causes to be delivered, as aforesaid, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined not more than $500 or imprisoned not more than two years, or both.

§ 877. MAILING THREATENING COMMUNICATIONS FROM FOREIGN COUNTRY

Whoever knowingly deposits in any post office or authorized depository for mail matter of any foreign country any communication addressed to any person within the United States, for the purpose of having such communication delivered by the post office establishment

of such foreign country to the Post Office Department of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the post office establishment of such foreign country to the Post Office Department of the United States and by it delivered to the address to which it is directed in the United States, and containing any demand or request for ransom or reward for the release of any kidnaped person, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

Whoever, with intent to extort from any person any money or other thing of value, so deposits as aforesaid, any communication for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

Whoever knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits as aforesaid, any communication, for the purpose aforesaid, containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined not more than $500 or imprisoned not more than two years, or both.

CHAPTER 43.—FALSE PERSONATION

Sec.

911. Citizen of the United States.
912. Officer or employee of the United States.
913. Impersonator making arrest or search.
914. Creditors of the United States.
915. Foreign diplomats, consuls or officers.
916. 4-H Club members or agents.
917. Red Cross members or agents.

§ 911. CITIZEN OF THE UNITED STATES

Whoever falsely and willfully represents himself to be a citizen of the United States shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 912. OFFICER OR EMPLOYEE OF THE UNITED STATES

Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 913. IMPERSONATOR MAKING ARREST OR SEARCH

Whoever falsely represents himself to be an officer, agent, or employee of the United States, and in such assumed character arrests or detains any person or in any manner searches the person, buildings, or other property of any person, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 914. CREDITORS OF THE UNITED STATES

Whoever falsely personates any true and lawful holder of any share or sum in the public stocks or debt of the United States, or any person entitled to any annuity, dividend, pension, wages, or other debt due

from the United States, and, under color of such false personation, transfers or endeavors to transfer such public stock or any part thereof, or receives or endeavors to receive the money of such true and lawful holder thereof, or the money of any person really entitled to receive such annuity, dividend, pension, wages, or other debt, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 915. FOREIGN DIPLOMATS, CONSULS OR OFFICERS

Whoever, with intent to defraud within the United States, falsely assumes or pretends to be a diplomatic, consular or other official of a foreign government duly accredited as such to the United States and acts as such, or in such pretended character, demands or obtains or attempts to obtain any money, paper, document, or other thing of value, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 916. 4–H CLUB MEMBERS OR AGENTS

Whoever, falsely and with intent to defraud, holds himself out as or represents or pretends himself to be a member of, associated with, or an agent or representative for the 4–H clubs, an organization established by the Extension Service of the United States Department of Agriculture and the land grant colleges, shall be fined not more than $300 or imprisoned not more than six months, or both.

§ 917. RED CROSS MEMBERS OR AGENTS

Whoever, within the United States, falsely or fraudulently holds himself out as or represents or pretends himself to be a member of or an agent for the American National Red Cross for the purpose of soliciting, collecting, or receiving money or material, shall be fined not more than $500 or imprisoned not more than one year, or both.

CHAPTER 45.—FOREIGN RELATIONS

Sec.

951. Agents of foreign governments.
952. Diplomatic codes and correspondence.
953. Private correspondence with foreign governments.
954. False statements influencing foreign government.
955. Financial transactions with foreign governments.
956. Conspiracy to injure property of foreign government.
957. Possession of property in aid of foreign government.
958. Commission to serve against friendly nation.
959. Enlistment in foreign service.
960. Expedition against friendly nation.
961. Strengthening armed vessel of foreign nation.
962. Arming vessel against friendly nation.
963. Detention of armed vessel.
964. Delivering armed vessel to belligerent nation.
965. Verified statements as prerequisite to vessel's departure.
966. Departure of vessel forbidden for false statements.
967. Departure of vessel forbidden in aid of neutrality.
968. Exportation of war materials to certain countries.
969. Exportation of arms, liquors and narcotics to Pacific Islands.

§ 951. AGENTS OF FOREIGN GOVERNMENTS

Whoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Secretary of State, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 952. DIPLOMATIC CODES AND CORRESPONDENCE

Whoever, by virtue of his employment by the United States, obtains from another or has or has had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and without authorization or competent authority, willfully publishes or furnishes to

another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 953. PRIVATE CORRESPONDENCE WITH FOREIGN GOVERNMENTS

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined not more than $5,000 or imprisoned not more than three years, or both.

This section shall not abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects.

§ 954. FALSE STATEMENTS INFLUENCING FOREIGN GOVERNMENT

Whoever, in relation to any dispute or controversy between a foreign government and the United States, willfully and knowingly makes any untrue statement, either orally or in writing, under oath before any person authorized and empowered to administer oaths, which the affiant has knowledge or reason to believe will, or may be used to influence the measures or conduct of any foreign government, or of any officer or agent of any foreign government, to the injury of the United States, or with a view or intent to influence any measure of or action by the United States or any department or agency thereof, to the injury of the United States, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 955. FINANCIAL TRANSACTIONS WITH FOREIGN GOVERNMENTS

Whoever, within the United States, purchases or sells the bonds, securities, or other obligations of any foreign government or political subdivision thereof or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after April 13, 1934, or makes any loan to such foreign government, political subdivision, organization or association, except a renewal or adjustment of existing indebtedness, while such government, political subdivision, organization or association, is in default in the payment of its obligations, or any part thereof, to the United States, shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

This section is applicable to individuals, partnerships, corporations, or associations other than public corporations created by or pursuant to special authorizations of Congress, or corporations in which the United States has or exercises a controlling interest through stock ownership or otherwise. While any foreign government is a member both of the International Monetary Fund and of the International Bank for Reconstruction and Development, this section shall not apply to the sale or purchase of bonds, securities, or other obligations of such government or any political subdivision thereof or of any organization or association acting for or on behalf of such government or political subdivision, or to making of any loan to such government, political subdivision, organization, or association.

§ 956. CONSPIRACY TO INJURE PROPERTY OF FOREIGN GOVERNMENT

(a) If two or more persons within the jurisdiction of the United States conspire to injure or destroy specific property situated within

a foreign country and belonging to a foreign government or to any political subdivision thereof with which the United States is at peace, or any railroad, canal, bridge, or other public utility so situated, and if one or more such persons commits an act within the jurisdiction of the United States to effect the object of the conspiracy, each of the parties to the conspiracy shall be fined not more than $5,000 or imprisoned not more than three years, or both.

(b) Any indictment or information under this section shall describe the specific property which it was the object of the conspiracy to injure or destroy.

§ 957. POSSESSION OF PROPERTY IN AID OF FOREIGN GOVERNMENT

Whoever, in aid of any foreign government, knowingly and willfully possesses or controls any property or papers used or designed or intended for use in violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be fined not more than $1,000 or imprisoned not more than ten years, or both.

§ 958. COMMISSION TO SERVE AGAINST FRIENDLY NATION

Any citizen of the United States who, within the jurisdiction thereof, accepts and exercises a commission to serve a foreign prince, state, colony, district, or people, in war, against any prince, state, colony, district, or people, with whom the United States is at peace, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

§ 959. ENLISTMENT IN FOREIGN SERVICE

(a) Whoever, within the United States, enlists or enters himself, or hires or retains another to enlist or enter himself, or to go beyond the jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people as a soldier or as a marine or seaman on board any vessel of war, letter of marque, or privateer, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

(b) This section shall not apply to citizens or subjects of any country engaged in war with a country with which the United States is at war, unless such citizen or subject of such foreign country shall hire or solicit a citizen of the United States to enlist or go beyond the jurisdiction of the United States with intent to enlist or enter the service of a foreign counry. Enlistments under this subsection shall be under regulations prescribed by the Secretary of the Army.

(c) This section and sections 960 and 961 of this title shall not apply to any subject or citizen of any foreign prince, state, colony, district, or people who is transiently within the United States and enlists or enters himself on board any vessel of war, letter of marque, or privateer, which at the time of its arrival within the United States was fitted and equipped as such, or hires or retains another subject or citizen of the same foreign prince, state, colony, district, or people who is transiently within the United States to enlist or enter himself to serve such foreign prince, state, colony, district, or people on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district, or people.

Infra; post, p. 746.

§ 960. EXPEDITION AGAINST FRIENDLY NATION

Whoever, within the United States, knowingly begins or sets on foot or provides or prepares a means for or furnishes the money for, or takes part in, any military or naval expedition or enterprise to be carried on from thence against the territory or dominion of any foreign prince or state, or of any colony, district, or people with whom the

United States is at peace, shall be fined not more than $3,000 or imprisoned not more than three years, or both.

§ 961. STRENGTHENING ARMED VESSEL OF FOREIGN NATION

Whoever, within the United States, increases or augments the force of any ship of war, cruiser, or other armed vessel which, at the time of her arrival within the United States, was a ship of war, or cruiser, or armed vessel, in the service of any foreign prince or state, or of any colony, district, or people, or belonging to the subjects or citizens of any such prince or state, colony, district, or people, the same being at war with any foreign prince or state, or of any colony, district, or people, with whom the United States is at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by adding thereto any equipment solely applicable to war, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 962. ARMING VESSEL AGAINST FRIENDLY NATION

Whoever, within the United States, furnishes, fits out, arms, or attempts to furnish, fit out or arm, any vessel, with intent that such vessel shall be employed in the service of any foreign prince, or state, or of any colony, district, or people, to cruise, or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the United States is at peace; or

Whoever issues or delivers a commission within the United States for any vessel, to the intent that she may be so employed—

Shall be fined not more than $10,000 or imprisoned not more than three years, or both.

Every such vessel, her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores which may have been procured for the building and equipment thereof, shall be forfeited, one half to the use of the informer and the other half to the use of the United States.

§ 963. DETENTION OF ARMED VESSEL

(a) During a war in which the United States is a neutral nation, the President, or any person authorized by him, may detain any armed vessel owned wholly or in part by citizens of the United States, or any vessel, domestic or foreign (other than one which has entered the ports of the United States as a public vessel), which is manifestly built for warlike purposes or has been converted or adapted from a private vessel to one suitable for warlike use, until the owner or master, or person having charge of such vessel, shall furnish proof satisfactory to the President, or to the person duly authorized by him, that the vessel will not be employed to cruise against or commit or attempt to commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with which the United States is at peace, and that the said vessel will not be sold or delivered to any belligerent nation, or to an agent, officer, or citizen of such nation, by them or any of them, within the jurisdiction of the United States, or upon the high seas.

(b) Whoever, in violation of this section takes, or attemps to take, or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States.

§ 964. DELIVERING ARMED VESSEL TO BELLIGERENT NATION

(a) During a war in which the United States is a neutral nation, it shall be unlawful to send out of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract that such vessel will be delivered to a belligerent nation, or to an agent, officer, or citizen of such nation, or with reasonable cause to believe that the said vessel will be employed in the service of any such belligerent nation after its departure from the jurisdiction of the United States.

(b) Whoever, in violation of this section, takes or attempts to take, or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States.

§ 965. VERIFIED STATEMENTS AS PREREQUISITE TO VESSEL'S DEPARTURE

(a) During a war in which the United States is a neutral nation, every master or person having charge or command of any vessel, domestic or foreign, whether requiring clearance or not, before departure of such vessel from port shall, in addition to the facts required by sections 91, 92, and 94 of Title 46 to be set out in the masters' and shippers' manifests before clearance will be issued to vessels bound to foreign ports, deliver to the collector of customs for the district wherein such vessel is then located a statement, duly verified by oath, that the cargo or any part of the cargo is or is not to be delivered to other vessels in port or to be transshipped on the high seas, and, if it is to be so delivered or transshipped, stating the kind and quantities and the value of the total quantity of each kind of article so to be delivered or transshipped, and the name of the person, corporation, vessel, or government to whom the delivery or transshipment is to be made; and the owners, shippers, or consignors of the cargo of such vessel shall in the same manner and under the same conditions deliver to the collector like statements under oath as to the cargo or the parts thereof laden or shipped by them, respectively.

(b) Whoever, in violation of this section, takes or attempts to take, or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States.

The Secretary of the Treasury is authorized to promulgate regulations upon compliance with which vessels engaged in the coastwise trade or fisheries or used solely for pleasure may be relieved from complying with this section.

Regulations for non-compliance.

§ 966. DEPARTURE OF VESSEL FORBIDDEN FOR FALSE STATEMENTS

(a) Whenever it appears that the vessel is not entitled to clearance or whenever there is reasonable cause to believe that the additional statements under oath required in section 965 of this title are false, the collector of customs for the district in which the vessel is located may, subject to review by the head of the department or agency charged with the administration of laws relating to clearance of vessels, refuse clearance to any vessel, domestic or foreign, and by formal notice served upon the owners, master, or person or persons in command or charge of any domestic vessel for which clearance is not required by law, forbid the departure of the vessel from the port or from the United States. It shall thereupon be unlawful for the vessel to depart.

Supra.

(b) Whoever, in violation of this section, takes or attempts to take,

or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States.

§ 967. DEPARTURE OF VESSEL FORBIDDEN IN AID OF NEUTRALITY

(a) During a war in which the United States is a neutral nation, the President, or any person authorized by him, may withhold clearance from or to any vessel, domestic or foreign, or, by service of formal notice upon the owner, master, or person in command or in charge of any domestic vessel not required to secure clearances, may forbid its departure from port or from the United States, whenever there is reasonable cause to believe that such vessel is about to carry fuel, arms, ammunition, men, supplies, dispatches, or information to any warship, tender, or supply ship of a foreign belligerent nation in violation of the laws, treaties, or obligations of the United States under the law of nations. It shall thereupon be unlawful for such vessel to depart.

(b) Whoever, in violation of this section, takes or attempts to take, or authorizes the taking of any such vessel, out of port or from the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. In addition, such vessel, her tackle, apparel, furniture, equipment, and her cargo shall be forfeited to the United States.

§ 968. EXPORTATION OF WAR MATERIALS TO CERTAIN COUNTRIES

Whenever the President finds that in any American country, or in any country in which the United States exercises extraterritorial jurisdiction, conditions of domestic violence exist, which are or may be promoted by the use of arms or munitions of war procured from the United States, and makes proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President prescribes, any arms or munitions of war from any place in the United States, to such country until otherwise ordered by the President or by Congress.

Whoever violates this section shall be fined not more than $10,000 or imprisoned not more than two years, or both.

§ 969. EXPORTATION OF ARMS, LIQUORS AND NARCOTICS TO PACIFIC ISLANDS

(a) Whoever, being subject to the authority of the United States, gives, sells, or otherwise supplies any arms, ammunition, explosive substance, intoxicating liquor, or opium to any aboriginal native of any of the Pacific Islands lying within the twentieth parallel of north latitude and the fortieth parallel of south latitude, and the one hundred and twentieth meridian of longitude west and one hundred and twentieth meridian of longitude east of Greenwich, not being in the possession or under the protection of any civilized power, shall be fined not more than $50 or imprisoned not more than three months or both.

In addition to such punishment, all articles of a similar nature to those in respect to which an offense has been committed, found in the possession of the offender, may be declared forfeited.

If it appears to the court that such opium, wine, or spirits have been given bona fide for medical purposes, it shall be lawful for the court to dismiss the charge.

(b) All offenses against this section, committed on any of said islands or on the waters, rocks, or keys adjacent thereto, shall be deemed committed on the high seas on board a merchant ship or vessel belonging to the United States.

CHAPTER 47.—FRAUD AND FALSE STATEMENTS

Sec.
1001. Statements or entries generally.
1002. Possession of false papers to defraud United States.
1003. Demands against the United States.
1004. Certification of checks.
1005. Bank entries, reports and transactions.
1006. Federal credit institution entries, reports and transactions.
1007. Federal Deposit Insurance Corporation transactions.
1008. Federal Savings and Loan Insurance Corporation transactions.
1009. Rumors regarding Federal Savings and Loan Insurance Corporation.
1010. Federal Housing Administration transactions.
1011. Federal land bank mortgage transactions.
1012. United States Housing Authority transactions.
1013. Farm loan bonds and credit bank debentures.
1014. Loan and credit applications generally; renewals and discounts; crop insurance.
1015. Naturalization, citizenship or alien registry.
1016. Acknowledgement of appearance or oath.
1017. Government seals wrongfully used and instruments wrongfully sealed.
1018. Official certificates or writings.
1019. Certificates by consular offices.
1020. Highway projects.
1021. Title records.
1022. Delivery of certificate, voucher, receipt for military or naval property.
1023. Insufficient delivery of money or property for military or naval service.
1024. Purchase or receipt of military, naval, or veterans' facilities property.
1025. False pretenses on high seas and other waters.
1026. Compromise, adjustment, or cancellation of farm indebtedness.

§ 1001. STATEMENTS OR ENTRIES GENERALLY

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1002. POSSESSION OF FALSE PAPERS TO DEFRAUD UNITED STATES

Whoever, knowingly and with intent to defraud the United States, or any agency thereof, possesses any false, altered, forged, or counterfeited writing or document for the purpose of enabling another to obtain from the United States, or from any agency, officer or agent thereof, any sum of money, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1003. DEMANDS AGAINST THE UNITED STATES

Whoever knowingly and fraudulently demands or endeavors to obtain any share or sum in the public stocks of the United States, or to have any part thereof transferred, assigned, sold, or conveyed, or to have any annuity, dividend, pension, wages, gratuity, or other debt due from the United States, or any part thereof, received, or paid by virtue of any false, forged, or counterfeited power of attorney, authority, or instrument, shall be fined not more than $10,000 or imprisoned not more than five years, or both; but if the sum or value so obtained or attempted to be obtained does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1004. CERTIFICATION OF CHECKS

Whoever, being an officer, director, agent, or employee of any Federal Reserve bank or member bank of the Federal Reserve System, certifies a check before the amount thereof has been regularly deposited in the bank by the drawer thereof, or resorts to any device, or receives any fictitious obligation, directly or collaterally, in order to evade

any of the provisions of law relating to certification of checks, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1005. BANK ENTRIES, REPORTS AND TRANSACTIONS

Whoever, being an officer, director, agent or employee of any Federal Reserve bank, member bank, national bank or insured bank, without authority from the directors of such bank, issues or puts in circulation any notes of such bank; or

Whoever, without such authority, makes, draws, issues, puts forth, or assigns any certificate of deposit, draft, order, bill of exchange, acceptance, note, debenture, bond, or other obligation, or mortgage, judgment or decree; or

Whoever makes any false entry in any book, report, or statement of such bank with intent to injure or defraud such bank, or any other company, body politic or corporate, or any individual person, or to deceive any officer of such bank, or the Comptroller of the Currency, or the Federal Deposit Insurance Corporation, or any agent or examiner appointed to examine the affairs of such bank, or the Board of Governors of the Federal Reserve System—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"National bank." "Member bank." "Insured bank."

As used in this section, the term "national bank" is synonymous with "national banking association"; "member bank" means and includes any national bank, state bank, or bank or trust company, which has become a member of one of the Federal Reserve banks; and "insured bank" includes any state bank, banking association, trust company, savings bank, or other banking institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

§ 1006. FEDERAL CREDIT INSTITUTION ENTRIES, REPORTS AND TRANSACTIONS

Whoever, being an officer, agent or employee of or connected in any capacity with the Reconstruction Finance Corporation, Federal Deposit Insurance Corporation, Home Owners' Loan Corporation, Farm Credit Administration, Federal Housing Administration, Federal Farm Mortgage Corporation, Federal Crop Insurance Corporation, Farmers' Home Corporation, or any land bank, intermediate credit bank, bank for cooperatives or any lending, mortgage, insurance, credit or savings and loan corporation or association authorized or acting under the laws of the United States, with intent to defraud any such institution or any other company, body politic or corporate, or any individual, or to deceive any officer, auditor, examiner or agent of any such institution or of department or agency of the United States, makes any false entry in any book, report or statement of or to any such institution, or without being duly authorized, draws any order or bill of exchange, makes any acceptance, or issues, puts forth or assigns any note, debenture, bond or other obligation, or draft, bill of exchange, mortgage, judgment, or decree, or, with intent to defraud the United States or any agency thereof, or any corporation, institution, or association referred to in this section, participates or shares in or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission, contract, or any other act of any such corporation, institution, or association, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1007. FEDERAL DEPOSIT INSURANCE CORPORATION TRANSACTIONS

Whoever, for the purpose of obtaining any loan from the Federal Deposit Insurance Corporation, or any extension or renewals thereof, or the acceptance, release, or substitution of security therefor, or for

the purpose of inducing the Federal Deposit Insurance Corporation to purchase any assets, or for the purpose of obtaining the payment of any insured deposit or transferred deposit or the allowance, approval, or payment of any claim, or for the purpose of influencing in any way the action of the Federal Deposit Insurance Corporation, makes any statement, knowing it to be false, or willfully overvalues any security, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 1008. FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION TRANSACTIONS

Whoever, for the purpose of inducing the insurance of the accounts of any institution by the Federal Savings and Loan Insurance Corporation or for the purpose of obtaining any extension or renewal of such insurance by such Corporation or for the purpose of influencing in any way the action of such Corporation, makes, passes, utters, or publishes any statement, knowing the same to be false; or

Whoever, for the purpose of influencing in any way the action of such Corporation, utters, forges, or counterfeits any instrument, paper, or document, or utters, publishes, or passes as true any instrument, paper, or document, knowing it to have been uttered, forged, or counterfeited, or willfully overvalues any security, asset, or income, of any institution insured or applying for insurance by said Corporation—

Shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 1009. RUMORS REGARDING FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Whoever willfully and knowingly makes, circulates, or transmits to another or others any statement or rumor, written, printed or by word of mouth, which is untrue in fact and is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of the Federal Savings and Loan Insurance Corporation, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1010. FEDERAL HOUSING ADMINISTRATION TRANSACTIONS

Whoever, for the purpose of obtaining any loan or advance of credit from any person, partnership, association, or corporation with the intent that such loan or advance of credit shall be offered to or accepted by the Federal Housing Administration for insurance, or for the purpose of obtaining any extension or renewal of any loan, advance of credit, or mortgage insured by such Administration, or the acceptance, release, or substitution of any security on such a loan, advance of credit, or for the purpose of influencing in any way the action of such Administration, makes, passes, utters, or publishes any statement, knowing the same to be false, or alters, forges, or counterfeits any instrument, paper, or document, or utters, publishes, or passes as true any instrument, paper, or document, knowing it to have been altered, forged, or counterfeited, or willfully overvalues any security, asset, or income, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 1011. FEDERAL LAND BANK MORTGAGE TRANSACTIONS

Whoever, being a mortgagee, knowingly makes any false statement in any paper, proposal, or letter, relating to the sale of any mortgage, to any Federal land bank; or

Whoever, being an appraiser, willfully overvalues any land securing such mortgage—

Shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 1012. UNITED STATES HOUSING AUTHORITY TRANSACTIONS

Whoever, with intent to defraud, makes any false entry in any book of the United States Housing Authority or makes any false report or statement to or for such Authority; or

Whoever receives any compensation, rebate, or reward, with intent to defraud such Authority or with intent unlawfully to defeat its purposes; or

Whoever induces or influences such Authority to purchase or acquire any property or to enter into any contract and willfully fails to disclose any interest which he has in such property or in the property to which such contract relates, or any special benefit which he expects to receive as a result of such contract—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1013. FARM LOAN BONDS AND CREDIT BANK DEBENTURES

Whoever deceives, defrauds, or imposes upon, or attempts to deceive, defraud, or impose upon any person, partnership, corporation, or association by making any false pretense or representation concerning the character, issue, security, contents, conditions, or terms of any farm loan bond, or coupon, issued by any Federal land bank or banks, or by any joint-stock land bank or banks; or of any debenture, coupon, or other obligation, issued by any Federal intermediate credit bank or banks, or by any National Agricultural Credit Corporation; or by falsely pretending or representing that any farm loan bond, or coupon, is anything other than, or different from, what it purports to be on the face of said bond or coupon, shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1014. LOAN AND CREDIT APPLICATIONS GENERALLY; RENEWALS AND DISCOUNTS; CROP INSURANCE

Whoever knowingly makes any false statement or report, or willfully overvalues any land, property or security, for the purpose of influencing in any way the action of the Reconstruction Finance Corporation, Farm Credit Administration, Federal Crop Insurance Corporation, Farmers' Home Corporation, any Federal intermediate credit bank, or the Federal Farm Mortgage Corporation, or any division, officer, or employee thereof, or of any corporation organized under sections 1131–1134m of Title 12, or in which a Production Credit Corporation holds stock, or of any regional agricultural credit corporation established pursuant to law, or of the National Agricultural Credit Corporation, a Federal Home Loan Bank, the Federal Home Loan Bank Board, the Home Owners' Loan Corporation, a Federal Savings and Loan Association, a Federal land bank, a joint-stock land bank, a National farm loan association, or of a Federal Reserve bank, upon any application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment, or loan, or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

§ 1015. NATURALIZATION, CITIZENSHIP OR ALIEN REGISTRY

(a) Whoever knowingly makes any false statement under oath, in any case, proceeding, or matter relating to, or under, or by virtue of any law of the United States relating to naturalization, citizenship, or registry of aliens; or

(b) Whoever knowingly, with intent to avoid any duty or liability imposed or required by law, denies that he has been naturalized or admitted to be a citizen, after having been so naturalized or admitted; or

(c) Whoever uses or attempts to use any certificate of arrival, declaration of intention, certificate of naturalization, certificate of citizenship or other documentary evidence of naturalization or of citizenship, or any duplicate or copy thereof, knowing the same to have been procured by fraud or false evidence or without required appearance or hearing of the applicant in court or otherwise unlawfully obtained; or

(d) Whoever knowingly makes any false certificate, acknowledgment or statement concerning the appearance before him or the taking of an oath or affirmation or the signature, attestation or execution by any person with respect to any application, declaration, petition, affidavit, deposition, certificate of naturalization, certificate of citizenship or other paper or writing required or authorized by the laws relating to immigration, naturalization, citizenship, or registry of aliens—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1016. ACKNOWLEDGMENT OF APPEARANCE OR OATH

Whoever, being an officer authorized to administer oaths or to take and certify acknowledgments, knowingly makes any false acknowledgment, certificate, or statement concerning the appearance before him or the taking of an oath or affirmation by any person with respect to any proposal, contract, bond, undertaking, or other matter submitted to, made with, or taken on behalf of the United States or any department or agency thereof, concerning which an oath or affirmation is required by law or lawful regulation, or with respect to the financial standing of any principal, surety, or other party to any such proposal, contract, bond, undertaking, or other instrument, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 1017. GOVERNMENT SEALS WRONGFULLY USED AND INSTRUMENTS WRONGFULLY SEALED

Whoever fraudulently or wrongfully affixes or impresses the seal of any department or agency of the United States, to or upon any certificate, instrument, commission, document, or paper or with knowledge of its fraudulent character, with wrongful or fraudulent intent, uses, buys, procures, sells, or transfers to another any such certificate, instrument, commission, document, or paper, to which or upon which said seal has been so fraudulently affixed or impressed, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1018. OFFICIAL CERTIFICATES OR WRITINGS

Whoever, being a public officer or other person authorized by any law of the United States to make or give a certificate or other writing, knowingly makes and delivers as true such a certificate or writing, containing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law, shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1019. CERTIFICATES BY CONSULAR OFFICERS

Whoever, being a consul, or vice consul, or other person employed in the consular service of the United States, knowingly certifies falsely to any invoice, or other paper, to which his certificate is authorized or required by law, shall be fined not more than $10,000 or imprisoned not more than three years, or both.

§ 1020. HIGHWAY PROJECTS

Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost

of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project submitted for approval to the Secretary of Agriculture; or

Whoever knowingly makes any false statement, false representation, or false report or claim for work or materials for the construction of any highway or related project approved by the Secretary of Agriculture; or

Whoever knowingly makes any false statement or false representation in any report required under Title 23, with intent to defraud the United States—

Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1021. TITLE RECORDS

Whoever, being an officer or other person authorized by any law of the United States to record a conveyance of real property or any other instrument which by such law may be recorded, knowingly certifies falsely that such conveyance or instrument has or has not been recorded, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 1022. DELIVERY OF CERTIFICATE, VOUCHER, RECEIPT FOR MILITARY OR NAVAL PROPERTY

Whoever, being authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property used or to be used in the military or naval service, makes or delivers the same to any other person without a full knowledge of the truth of the facts stated therein and with intent to defraud the United States, or any agency thereof, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 1023. INSUFFICIENT DELIVERY OF MONEY OR PROPERTY FOR MILITARY OR NAVAL SERVICE

Whoever, having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, with intent to defraud the United States, or any agency thereof, or any corporation in which the United States has a proprietary interest, or intending to conceal such money or other property, delivers to any person having authority to receive the same any amount of such money or other property less than that for which he received a certificate or took a receipt, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 1024. PURCHASE OR RECEIPT OF MILITARY, NAVAL, OR VETERAN'S FACILITIES PROPERTY

Whoever purchases, or receives in pledge from any person any arms, equipment, ammunition, clothing, military stores, or other property furnished by the United States under a clothing allowance or otherwise, to any member of the Armed Forces of the United States or of the National Guard or Naval Militia, or to any person accompanying, serving, or retained with the land or naval forces and subject to military or naval law, or to any former member of such Armed Forces at or by any hospital, home, or facility maintained by the United States, having knowledge or reason to believe that the property has been taken from the possession of or furnished by the United States under such allowance, or otherwise, shall be fined not more than $500 or imprisoned not more than two years, or both.

§ 1025. FALSE PRETENSES ON HIGH SEAS AND OTHER WATERS

Whoever, upon any waters or vessel within the special maritime and territorial jurisdiction of the United States, by any fraud, or false presense, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft, or check, or any other evidence of indebtedness, or fraudulently sells, barters, or disposes of any bond, bill, receipt, promissory note, draft, or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretenses, shall be fined not more than $5,000 or imprisoned not more than five years, or both; but if the amount, value or the face value of anything so obtained does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1026. COMPROMISE, ADJUSTMENT, OR CANCELLATION OF FARM INDEBTEDNESS

Whoever knowingly makes any false statement for the purpose of influencing in any way the action of the Secretary of Agriculture, or of any person acting under his authority, in connection with any compromise, adjustment, or cancellation of any farm indebtedness as provided by sections 1150, 1150a, and 1150b of Title 12, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CHAPTER 49.—FUGITIVES FROM JUSTICE

Sec.

1071. Concealing person from arrest.
1072. Concealing escaped prisoner.
1073. Flight to avoid prosecution or giving testimony.

§ 1071. CONCEALING PERSON FROM ARREST

Whoever harbors or conceals any person for whose arrest a warrant or process has been issued under the provisions of any law of the United States, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person, shall be fined not more than $1,000 or imprisoned not more than six months, or both.

§ 1072. CONCEALING ESCAPED PRISONER

Whoever willfully harbors or conceals any prisoner after his escape from the custody of the Attorney General or from a Federal penal or correctional institution, shall be imprisoned not more than three years.

§ 1073. FLIGHT TO AVOID PROSECUTION OR GIVING TESTIMONY

Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which he flees, for murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, or extortion accompanied by threats of violence, or attempt to commit any of the foregoing offenses as they are defined either at common law or by the laws of the place from which the fugitive flees, or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of an offense punishable by imprisonment in a penitentiary is charged, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

Violations of this section may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement.

CHAPTER 51.—HOMICIDE

Sec.
1111. Murder.
1112. Manslaughter.
1113. Attempt to commit murder or manslaughter.
1114. Protection of officers and employees of the United States.
1115. Misconduct or neglect of ship officers.

§ 1111. MURDER

Murder in first degree.

(a) Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, rape, burglary, or robbery; or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him who is killed, is murder in the first degree.

Murder in second degree.

Any other murder is murder in the second degree.

(b) Within the special maritime and territorial jurisdiction of the United States,

Whoever is guilty of murder in the first degree, shall suffer death unless the jury qualifies its verdict by adding thereto "without capital punishment", in which event he shall be sentenced to imprisonment for life;

Whoever is guilty of murder in the second degree, shall be imprisoned for any term of years or for life.

§ 1112. MANSLAUGHTER

(a) Manslaughter is the unlawful killing of a human being without malice. It is of two kinds:

Voluntary manslaughter.

Voluntary—Upon a sudden quarrel or heat of passion.

Involuntary manslaughter.

Involuntary—In the commission of an unlawful act not amounting to a felony, or in the commission in an unlawful manner, or without due caution and circumspection, of a lawful act which might produce death.

(b) Within the special maritime and territorial jurisdiction of the United States,

Whoever is guilty of voluntary manslaughter, shall be imprisoned not more than ten years;

Whoever is guilty of involuntary manslaughter, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 1113. ATTEMPT TO COMMIT MURDER OR MANSLAUGHTER

Ante, p. 689.

Except as provided in section 113 of this title, whoever, within the special maritime and territorial jurisdiction of the United States, attempts to commit murder or manslaughter, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 1114. PROTECTION OF OFFICERS AND EMPLOYEES OF THE UNITED STATES

Whoever kills any judge of the United States, any United States Attorney, any Assistant United States Attorney, or any United States marshal or deputy marshal or person employed to assist such marshal or deputy marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, any post-office inspector, any officer or employee of the secret service or of the Bureau of Narcotics, any officer or enlisted man of the Coast Guard, any officer or employee of any United States penal or correctional institution, any officer, employee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act

of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, any employee of the Bureau of Animal Industry of the Department of Agriculture, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under sections 1111 and 1112 of this title.

Ante, p. 756.

§ 1115. MISCONDUCT OR NEGLECT OF SHIP OFFICERS

Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law the life of any person is destroyed, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

When the owner or charterer of any steamboat or vessel is a corporation, any executive officer of such corporation, for the time being actually charged with the control and management of the operation, equipment, or navigation of such steamboat or vessel, who has knowingly and willfully caused or allowed such fraud, neglect, connivance, misconduct, or violation of law, by which the life of any person is destroyed, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

CHAPTER 53.—INDIANS

Sec.

1151. Indian country defined.
1152. Laws governing.
1153. Offenses committed within Indian country.
1154. Intoxicants dispensed in Indian country.
1155. Intoxicants dispensed on school site.
1156. Intoxicants possessed unlawfully.
1157. Livestock sold or removed.
1158. Counterfeiting Indian Arts and Crafts Board trade-mark.
1159. Misrepresentation in sale of products.
1160. Property damaged in committing offense.

§ 1151. INDIAN COUNTRY DEFINED

The term "Indian country", as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

§ 1152. LAWS GOVERNING

Except as otherwise expressly provided by law, the general laws of the United States as to the punishment of offenses committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to the Indian country.

This section shall not extend to offenses committed by one Indian against the person or property of another Indian, nor to any Indian committing any offense in the Indian country who has been punished by the local law of the tribe, or to any case where, by treaty stipulations, the exclusive jurisdiction over such offenses is or may be secured to the Indian tribes respectively.

§ 1153. OFFENSES COMMITTED WITHIN INDIAN COUNTRY

Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny within the Indian country, shall be subject to the same laws and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

Any Indian who commits the offense of rape upon any female Indian within the Indian country, shall be imprisoned at the discretion of the court.

As used in this section the offenses of burglary and rape shall be defined and punished in accordance with the laws of the State in which such offenses were committed.

§ 1154. INTOXICANTS DISPENSED IN INDIAN COUNTRY

(a) Whoever sells, gives away, disposes of, exchanges, or barters any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, except for scientific, sacramental, medicinal or mechanical purposes, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication, to any Indian to whom an allotment of land has been made while the title to the same shall be held in trust by the Government, or to any Indian who is a ward of the Government under charge of any Indian superintendent, or to any Indian, including mixed bloods, over whom the Government, through its departments, exercises guardianship, and whoever introduces or attempts to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, shall, for the first offense, be fined not more than $500 or imprisoned not more than one year, or both; and, for each subsequent offense, be fined not more than $2,000 or imprisoned not more than five years, or both.

(b) It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department, but this subsection shall not bar the prosecution of any officer, soldier, sutler or storekeeper, attaché, or employee of the Army of the United States who barters, donates, or furnishes in any manner whatsoever liquors, beer, or any intoxicating beverage whatsoever to any Indian.

§ 1155. INTOXICANTS DISPENSED ON SCHOOL SITE

Whoever, on any tract of land in the former Indian country upon which is located any Indian school maintained by or under the supervision of the United States, manufactures, sells, gives away, or in any manner, or by any means furnishes to anyone, either for himself or another, any vinous, malt, or fermented liquors, or any other intoxicating drinks of any kind whatsoever, except for scientific, sacramental, medicinal or mechanical purposes, whether medicated or not, or who carries, or in any manner has carried, into such area any such liquors or drinks, or who shall be interested in such manufacture, sale, giving away, furnishing to anyone, or carrying into such area any of such liquors or drinks, shall be fined not more than $500 or imprisoned not more than five years, or both.

§ 1156. INTOXICANTS POSSESSED UNLAWFULLY

Whoever, except for scientific, sacramental, medicinal or mechanical purposes, possesses intoxicating liquors in the Indian country or where the introduction is prohibited by treaty or an Act of Congress, shall, for the first offense, be fined not more than $500 or imprisoned not more than one year, or both; and, for each subsequent offense, be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1157. LIVESTOCK SOLD OR REMOVED

Where restricted Indians are in possession or control of livestock purchased for or issued to them by the Government, or the increase therefrom, such stock shall not be sold, transferred, mortgaged, or otherwise disposed of, except with the consent in writing of the superintendent or other officer in charge of the tribe to which the owner or possessor of the livestock belongs, and all transactions in violation of this provision shall be void.

All such livestock so purchased or issued and the increase therefrom belonging to restricted Indians and grazed in the Indian country shall be branded with the I D or reservation brand of the jurisdiction to which the owners of such stock belong, and shall not be removed from the Indian country except with the consent in writing of the superintendent or other officer in charge of the tribe to which the owner or possessor of such livestock belongs, or by order of the Secretary of War, in connection with the movement of troops.

Whoever violates this section by selling or otherwise disposing of such stock, purchasing, or otherwise acquiring an interest therein, or by removing such stock from the Indian country, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1158. COUNTERFEITING INDIAN ARTS AND CRAFTS BOARD TRADE-MARK

Whoever counterfeits or colorably imitates any Government trade mark used or devised by the Indian Arts and Crafts Board in the Department of the Interior as provided in section 305a of Title 25, or, except as authorized by the Board, affixes any such Government trade mark, or knowingly, willfully, and corruptly affixes any reproduction, counterfeit, copy, or colorable imitation thereof upon any products, or to any labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of such products; or

Whoever knowingly makes any false statement for the purpose of obtaining the use of any such Government trade mark—

Shall be fined not more than $500 or imprisoned not more than six months, or both; and shall be enjoined from further carrying on the act or acts complained of.

§ 1159. MISREPRESENTATION IN SALE OF PRODUCTS

Whoever willfully offers or displays for sale any goods, with or without any Government trade mark, as Indian products or Indian products of a particular Indian tribe or group, resident within the United States or the Territory of Alaska, when such person knows such goods are not Indian products or are not Indian products of the particular Indian tribe or group, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1160. PROPERTY DAMAGED IN COMMITTING OFFENSE

Whenever a white person, in the commission of an offense within the Indian country takes, injures or destroys the property of any friendly Indian the judgment of conviction shall include a sentence

that the defendant pay to the Indian owner a sum equal to twice the just value of the property so taken, injured, or destroyed.

If such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the Treasury of the United States. If such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the Treasury. But no Indian shall be entitled to any payment out of the Treasury of the United States, for any such property, if he, or any of the nation to which he belongs, have sought private revenge, or have attempted to obtain satisfaction by any force or violence.

CHAPTER 55.—KIDNAPING

Sec.
1201. Transportation.
1202. Ransom money.

§ 1201. TRANSPORTATION

(a) Whoever knowingly transports in interstate or foreign commerce, any person who has been unlawfully seized, confined, inveigled, decoyed, kidnaped, abducted, or carried away and held for ransom or reward or otherwise, except, in the case of a minor, by a parent thereof, shall be punished (1) by death if the kidnaped person has not been liberated unharmed, and if the verdict of the jury shall so recommend, or (2) by imprisonment for any term of years or for life, if the death penalty is not imposed.

(b) The failure to release the victim within seven days after he shall have been unlawfully seized, confined, inveigled, decoyed, kidnaped, abducted, or carried away shall create a rebuttable presumption that such person has been transported in interstate or foreign commerce.

(c) If two or more persons conspire to violate this section and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished as provided in subsection (a).

§ 1202. RANSOM MONEY

Whoever receives, possesses, or disposes of any money or other property, or any portion thereof, which has at any time been delivered as ransom or reward in connection with a violation of section 1201 of this title, knowing the same to be money or property which has been at any time delivered as such ransom or reward, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

CHAPTER 57.—LABOR

Sec.
1231. Transportation of strikebreakers.
1232. Enticement of workman from armory or arsenal.

§ 1231. TRANSPORTATION OF STRIKEBREAKERS

Whoever willfully transports in interstate or foreign commerce any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with (1) peaceful picketing by employees during any labor controversy affecting wages, hours, or conditions of labor, or (2) the exercise by employees of any of the rights of self-organization or collective bargaining; or

Whoever is knowingly transported in or travels interstate or foreign commerce for any of the purposes enumerated in this section—

Shall be fined not more than $5,000 or imprisoned not more than two years, or both.

This section shall not apply to common carriers.

§ 1232. ENTICEMENT OF WORKMAN FROM ARMORY OR ARSENAL

Whoever procures or entices any artificer or workman retained or employed in any arsenal or armory to depart from the same during the continuance of his engagement, or to avoid or break his contract with the United States; or

Whoever, after due notice of the engagement of such workman or artificer, during the continuance of such engagement, retains, hires, or in anywise employs, harbors, or conceals such artificer or workman—

Shall be fined not more than $50 or imprisoned not more than three months, or both.

CHAPTER 59.—LIQUOR TRAFFIC

Sec.

1261. Enforcement, regulations, and scope.
1262. Transportation into State prohibiting sale.
1263. Marks and labels on packages.
1264. Delivery to consignee.
1265. C. O. D. shipments prohibited.

§ 1261. ENFORCEMENT, REGULATIONS, AND SCOPE

(a) The Secretary of the Treasury shall enforce the provisions of this chapter. Regulations to carry out its provisions shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

(d) This chapter shall not apply to the Canal Zone.

§ 1262. TRANSPORTATION INTO STATE PROHIBITING SALE

Whoever imports, brings, or transports any intoxicating liquor into any State, Territory, District, or Possession in which all sales, except for scientific, sacramental, medicinal, or mechanical purposes, of intoxicating liquor containing more than 4 per centum of alcohol by volume or 3.2 per centum of alcohol by weight are prohibited, otherwise than in the course of continuous interstate transportation through such State, Territory, District, or Possession or attempts so to do, or assists in so doing,

Shall (1) If such liquor is not accompanied by such permits, or licenses therefor as may be required by the laws of such State, Territory, District, or Possession or (2) if all importation, bringing, or transportation of intoxicating liquor into such State, Territory, District, or Possession is prohibited by the laws thereof, be fined not more than $1,000 or imprisoned not more than one year, or both.

In the enforcement of this section, the definition of intoxicating liquor contained in the laws of the respective States, Territories, District, or Possessions shall be applied, but only to the extent that sales of such intoxicating liquor (except for scientific, sacramental, medicinal, and mechanical purposes) are prohibited therein.

§ 1263. MARKS AND LABELS ON PACKAGES

Whoever knowingly ships into any place within the United States, any package of or package containing any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, unless such package is so labeled on the outside cover as to plainly show the name of the consignee, the nature of its contents, and the quantity contained therein, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1264. DELIVERY TO CONSIGNEE

Whoever, being an officer, agent, or employee of any railroad company, express company, or other common carrier, knowingly delivers to any person other than the person to whom it has been consigned, unless upon the written order in each instance of the bona fide consignee, or to any fictitious person, or to any person under a fictitious

name, any spirituous, vinous, malted, or other fermented liquor or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, which has been shipped into any place within the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1265. C. O. D. SHIPMENTS PROHIBITED

Any railroad or express company, or other common carrier which, or any person who, in connection with the transportation of any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, into any State, Territory, District or Possession of the United States, which prohibits the delivery or sale therein of such liquor, collects the purchase price or any part thereof, before, on, or after delivery, from the consignee, or from any other person, or in any manner acts as the agent of the buyer or seller of any such liquor, for the purpose of buying or selling or completing the sale thereof, saving only in the actual transportation and delivery of the same, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

CHAPTER 61.—LOTTERIES

Sec.

1301. Importing or transporting lottery tickets.
1302. Mailing lottery tickets or related matter.
1303. Postmaster or employee at lottery agent.
1304. Broadcasting lottery information.

§ 1301. IMPORTING OR TRANSPORTING LOTTERY TICKETS

Whoever brings into the United States for the purpose of disposing of the same, or knowingly deposits with any express company or other common carrier for carriage, or carries in interstate or foreign commerce any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any advertisement of, or list of the prizes drawn or awarded by means of, any such lottery, gift enterprise, or similar scheme; or knowingly takes or receives any such paper, certificate, instrument, advertisement, or list so brought, deposited, or transported, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

§ 1302. MAILING LOTTERY TICKETS OR RELATED MATTER

Whoever knowingly deposits in the mail, or sends or delivers by mail;

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes—

Shall be fined not more than $1,000 or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

§ 1303. POSTMASTER OR EMPLOYEE AS LOTTERY AGENT

Whoever, being a postmaster or other person employed in the Postal Service, acts as agent for any lottery office, or under color of purchase or otherwise, vends lottery tickets, or knowingly sends by mail or delivers any letter, package, postal card, circular, or pamphlet advertising any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes awarded by means of any such scheme, shall be fined not more than $100 or imprisoned not more than one year, or both.

§ 1304. BROADCASTING LOTTERY INFORMATION

Whoever broadcasts by means of any radio station for which a license is required by any law of the United States, or whoever, operating any such station, knowingly permits the broadcasting of, any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Each day's broadcasting shall constitute a separate offense.

CHAPTER 63.—MAIL FRAUD

Sec.

1341. Frauds and swindles.
1342. Fictitious name and address.

§ 1341. FRAUDS AND SWINDLES

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose or, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Post Office Department, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 1342. FICTITIOUS NAME OR ADDRESS

Whoever, for the purpose of conducting, promoting, or carrying on by means of the Post Office Department of the United States, any scheme or device mentioned in section 1341 of this title or any other unlawful business, uses or assumes, or requests to be addressed by, any fictitious, false, or assumed title, name, or address or name other than his own proper name, or takes or receives from any post office or authorized depository of mail matter, any letter, postal card, package, or other mail matter addressed to any such fictitious, false, or assumed title, name, or address, or name other than his own proper name, shall

Supra.

be fined not more than $1,000 or imprisoned not more than five years, or both.

CHAPTER 65.—MALICIOUS MISCHIEF

Sec.

1361. Govenment property or contracts.
1362. Communication lines, stations or systems.
1363. Buildings or property within special maritime and territorial jurisdiction.
1364. Interference with foreign commerce by violence.

§ 1361. GOVERNMENT PROPERTY OR CONTRACTS

Whoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, shall be punished as follows:

If the damage to such property exceeds the sum of $100, by a fine of not more than $10,000 or imprisonment for not more than ten years, or both; if the damage to such property does not exceed the sum of $100, by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.

§ 1362. COMMUNICATION LINES, STATIONS OR SYSTEMS

Whoever willfully or maliciously injures or destroys any of the works, property, or material of any radio, telegraph, telephone, or cable, line, station, or system, or other means of communication, operated or controlled by the United States, whether constructed or in process of construction, or willfully or maliciously interferes in any way with the working or use of any such line, or system, or willfully or maliciously obstructs, hinders, or delays the transmission of any communication over any such line, or system, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 1363. BUILDINGS OR PROPERTY WITHIN SPECIAL MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, willfully and maliciously destroys or injures or attempts to destroy or injure any building, structure or vessel, any machinery or building materials and supplies, military or naval stores, munitions of war or any structural aids or appliances for navigation or shipping, shall be fined not more than $1,000 or imprisoned not more than five years, or both, and if the building be a dwelling, or the life of any person be placed in jeopardy, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

§ 1364. INTERFERENCE WITH FOREIGN COMMERCE BY VIOLENCE

Whoever, with intent to prevent, interfere with, or obstruct or attempt to prevent, interfere with, or obstruct the exportation to foreign countries of articles from the United States, injures or destroys, by fire or explosives, such articles or the places where they may be while in such foreign commerce, shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

CHAPTER 67.—MILITARY AND NAVY

Sec.

1381. Enticing desertion and harboring deserters.
1382. Entering military, naval, or Coast Guard property.
1383. Restrictions in military areas and zones.
1384. Prostitution near military and naval establishments.

§ 1381. ENTICING DESERTION AND HARBORING DESERTERS

Whoever entices or procures, or attempts or endeavors to entice or procure any person in the Armed Forces of the United States, or who

has been recruited for service therein, to desert therefrom, or aids any such person in deserting or in attempting to desert from such service; or

Whoever harbors, conceals, protects, or assists any such person who may have deserted from such service, knowing him to have deserted therefrom, or refuses to give up and deliver such person on the demand of any officer authorized to receive him—

Shall be fined not more than $2,000 or imprisoned not more than three years, or both.

§ 1382. ENTERING MILITARY, NAVAL, OR COAST GUARD PROPERTY

Whoever, within the jurisdiction of the United States, goes upon any military, naval, or Coast Guard reservation, post, fort, arsenal, yard, station, or installation, for any purpose prohibited by law or lawful regulation; or

Whoever reenters or is found within any such reservation, post, fort, arsenal, yard, station, or installation, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof—

Shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1383. RESTRICTIONS IN MILITARY AREAS AND ZONES

Whoever, contrary to the restrictions applicable thereto, enters, remains in, leaves, or commits any act in any military area or military zone prescribed under the authority of an Executive order of the President, by the Secretary of the Army, or by any military commander designated by the Secretary of the Army, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 1384. PROSTITUTION NEAR MILITARY AND NAVAL ESTABLISHMENTS

Within such reasonable distance of any military or naval camp, station, fort, post, yard, base, cantonment, training or mobilization place as the Secretary of the Army or the Secretary of the Navy, or both shall determine to be needful to the efficiency, health, and welfare of the Army or the Navy, or both, and shall designate and publish in general orders or bulletins, whoever engages in prostitution or aids or abets prostitution or procures or solicits for purposes of prostitution, or keeps or sets up a house of ill fame, brothel, or bawdy house, or receives any person for purposes of lewdness, assignation, or prostitution into any vehicle, conveyance, place, structure, or building, or permits any person to remain for the purpose of lewdness, assignation, or prostitution in any vehicle, conveyance, place, structure, or building or leases or rents or contracts to lease or rent any vehicle, conveyance, place, structure or building, or part thereof, knowing or with good reason to know that it is intended to be used for any of the purposes herein prohibited shall be fined not more than $1,000 or imprisoned not more than one year, or both.

The Secretaries of the Army and Navy and the Federal Security Administrator shall take such steps as they deem necessary to suppress and prevent such violations thereof, and shall accept the cooperation of the authorities of States and their counties, districts, and other political subdivisions in carrying out the purpose of this section. Cooperation of local authorities.

This section shall not be construed as conferring on the personnel of the War or Navy Department or the Federal Security Agency any authority to make criminal investigations, searches, seizures, or arrests of civilians charged with violations of this section.

CHAPTER 69.—NATIONALITY AND CITIZENSHIP

Sec.
1421. Accounts of court officers.
1422. Fees in naturalization proceedings.
1423. Misuse of evidence of citizenship or naturalization.
1424. Personation or misuse of papers in naturalization proceedings.
1425. Procurement of citizenship or naturalization unlawfully.
1426. Reproduction of naturalization or citizenship papers.
1427. Sale of naturalization or citizenship papers.
1428. Surrender of cancelled naturalization certificate.

§ 1421. ACCOUNTS OF COURT OFFICERS

Whoever, being a clerk or assistant clerk of a court, or other person charged by law with a duty to render true accounts of moneys received in any proceeding relating to citizenship, naturalization, or registration of aliens or to pay over any balance of such moneys due to the United States, willfully neglects to do so within thirty days after said payment shall become due and demand therefor has been made, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1422. FEES IN NATURALIZATION PROCEEDINGS

Whoever knowingly demands, charges, solicits, collects, or receives, or agrees to charge, solicit, collect, or receive any other or additional fees or moneys in proceedings relating to naturalization or citizenship or the registry of aliens beyond the fees and moneys authorized by law, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1423. MISUSE OF EVIDENCE OF CITIZENSHIP OR NATURALIZATION

Whoever knowingly uses for any purpose any order, certificate, certificate of naturalization, certificate of citizenship, judgment, decree, or exemplification, unlawfully issued or made, or copies or duplicates thereof, showing any person to be naturalized or admitted to be a citizen, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1424. PERSONATION OR MISUSE OF PAPERS IN NATURALIZATION PROCEEDINGS

Whoever, whether as applicant, declarant, petitioner, witness or otherwise, in any naturalization or citizenship proceeding, knowingly personates another or appears falsely in the name of a deceased person or in an assumed or fictitious name; or

Whoever knowingly and unlawfully uses or attempts to use, as showing naturalization or citizenship of any person, any order, certificate, certificate of naturalization, certificate of citizenship, judgment, decree, or exemplification, or copies or duplicates thereof, issued to another person, or in a fictitious name or in the name of a deceased person—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1425. PROCUREMENT OF CITIZENSHIP OR NATURALIZATION UNLAWFULLY

(a) Whoever knowingly procures or attempts to procure, contrary to law, the naturalization of any person, or documentary or other evidence of naturalization or of citizenship; or

(b) Whoever, whether for himself or another person not entitled thereto, knowingly issues, procures or obtains or applies for or otherwise attempts to procure or obtain naturalization, or citizenship, or a declaration of intention to become a citizen, or a certificate of arrival or any certificate or evidence of nationalization or citizenship, documentary or otherwise, or duplicates or copies of any of the foregoing—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1426. REPRODUCTION OF NATURALIZATION OR CITIZENSHIP PAPERS

(a) Whoever falsely makes, forges, alters or counterfeits any oath, notice, affidavit, certificate of arrival, declaration of intention, certificate or documentary evidence of naturalization or citizenship or any order, record, signature, paper or proceeding or any copy thereof, required or authorized by any law relating to naturalization or citizenship or registry of aliens; or

(b) Whoever utters, sells, disposes of or uses as true or genuine, any false, forged, altered, antedated or counterfeited oath, notice, affidavit, certificate of arrival, declaration of intention to become a citizen, certificate or documentary evidence of naturalization or citizenship, or any order, record, signature or other instrument, paper or proceeding required or authorized by any law relating to naturalization or citizenship or registry of aliens, or any copy thereof, knowing the same to be false, forged, altered, antedated or counterfeited; or

(c) Whoever, with intent unlawfully to use the same, possesses any false, forged, altered, antedated or counterfeited certificate of arrival, declaration of intention to become a citizen, certificate or documentary evidence of naturalization or citizenship purporting to have been issued under any law of the United States, or copy thereof, knowing the same to be false, forged, altered, antedated or counterfeited; or

(d) Whoever, without lawful authority, engraves or possesses, sells or brings into the United States any plate in the likeness or similitude of any plate designed, for the printing of a declaration of intention, or certificate or documentary evidence of naturalization or citizenship; or

(e) Whoever, without lawful authority, brings into the United States any document printed therefrom; or

(f) Whoever, without lawful authority, possesses any blank certificate of arrival, blank declaration of intention or blank certificate of naturalization or citizenship provided by the Immigration and Naturalization Service, with intent unlawfully to use the same; or

(g) Whoever, with intent unlawfully to use the same, possesses a distinctive paper adopted by the proper officer or agency of the United States for the printing or engraving of a declaration of intention to become a citizen, or certificate of naturalization or certificate of citizenship; or

(h) Whoever, without lawful authority, prints, photographs, makes or executes any print or impression in the likeness of a certificate of arrival, declaration of intention to become a citizen, or certificate of naturalization or citizenship, or any part thereof—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1427. SALE OF NATURALIZATION OR CITIZENSHIP PAPERS

Whoever unlawfully sells or disposes of a declaration of intention to become a citizen, certificate of naturalization, certificate of citizenship or copies or duplicates or other documentary evidence of naturalization or citizenship, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1428. SURRENDER OF CANCELED NATURALIZATION CERTIFICATE

Whoever, having in his possession or control a certificate of naturalization or citizenship or a copy thereof which has been canceled as provided by law, fails to surrender the same after at least sixty days' notice by the appropriate court or the Commissioner or Deputy Commissioner of Immigration, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

CHAPTER 71.—OBSCENITY

Sec.
1461. Mailing obscene or crime-inciting matter.
1462. Importation or transportation of obscene literature.
1463. Mailing indecent matter on wrappers or envelopes.
1464. Broadcasting obscene language.

§ 1461. MAILING OBSCENE OR CRIME-INCITING MATTER

Every obscene, lewd, lascivious, or filthy book, pamphlet, picture, paper, letter, writing, print, or other publication of an indecent character; and—

Every article or thing designed, adapted, or intended for preventing conception or producing abortion, or for any indecent or immoral use; and

Every article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for preventing conception or producing abortion, or for any indecent or immoral purpose; and

Every written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or from whom, or by what means any of such mentioned matters, articles, or things may be obtained or made, or where or by whom any act or operation of any kind for the procuring or producing of abortion will be done or performed, or how or by what means conception may be prevented or abortion produced, whether sealed or unsealed; and

Every letter, packet, or package, or other mail matter containing any filthy, vile, or indecent thing, device, or substance; and

Every paper, writing, advertisement, or representation that any article, instrument, substance, drug, medicine, or thing may, or can, be used or applied for preventing conception or producing abortion, or for any indecent or immoral purpose; and

Every description calculated to induce or incite a person to so use or apply any such article, instrument, substance, drug, medicine, or thing—

Is declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier.

Whoever knowingly deposits for mailing or delivery, anything declared by this section to be nonmailable, or knowingly takes the same from the mails for the purpose of circulating or disposing thereof, or of aiding in the circulation or disposition thereof, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"Indecent." The term "indecent", as used in this section includes matter of a character tending to incite arson, murder, or assassination.

§ 1462. IMPORTATION OR TRANSPORTATION OF OBSCENE LITERATURE

Whoever brings into the United States, or any place subject to the jurisdiction thereof, or knowingly deposits with any express company or other common carrier, for carriage in interstate or foreign commerce any obscene, lewd, lascivious, or filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, or any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use; or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of such mentioned articles, matters, or things may be obtained or made; or

Whoever knowingly takes from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1463. MAILING INDECENT MATTER ON WRAPPERS OR ENVELOPES

All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, and all postal cards upon which, any delineations, epithets, terms, or language of an indecent, lewd, lascivious, or obscene character are written or printed or otherwise impressed or apparent, are nonmailable matter, and shall not be conveyed in the mails nor delivered from any post office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe.

Whoever knowingly deposits for mailing or delivery, anything declared by this section to be nonmailable matter, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1464. BROADCASTING OBSCENE LANGUAGE

Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than $10,000 or imprisoned not more than two years, or both.

CHAPTER 73.—OBSTRUCTION OF JUSTICE

Sec.

1501. Assault on process server.
1502. Resistance to extradition agent.
1503. Influencing or injurying officer, juror or witness generally.
1504. Influencing juror by writing.
1505. Influencing or injuring witness before agencies and committees.
1506. Theft or alteration of record or process; false bail.

§ 1501. ASSAULT ON PROCESS SERVER

Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States, or United States commissioner; or

Whoever assaults, beats, or wounds any officer or other person duly authorized, knowing him to be such officer, or other person so duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process—

Shall, except as otherwise provided by law, be fined not more than $300 or imprisoned not more than one year, or both.

§ 1502. RESISTANCE TO EXTRADITION AGENT

Whoever knowingly and willfully obstructs, resists, or opposes an extradition agent of the United States in the execution of his duties, shall be fined not more than $300 or imprisoned not more than one year, or both.

§ 1503. INFLUENCING OR INJURING OFFICER, JUROR OR WITNESS GENERALLY

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness, in any court of the United States or before any United States commissioner or other committing magistrate, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or other committing magistrate, in the discharge of his duty, or injures any party or witness in his person or property on account of his attending or having attended such court or examination before such officer, commissioner, or other committing magistrate, or on account of his testifying or having testified to any

matter pending therein, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, commissioner, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1504. INFLUENCING JUROR BY WRITING

Whoever attempts to influence the action or decision of any grand or petit juror of any court of the United States upon any issue or matter pending before such juror, or before the jury of which he is a member, or pertaining to his duties, by writing or sending to him any written communication, in relation to such issue or matter, shall be fined not more than $1,000 or imprisoned not more than six months, or both.

Nothing in this section shall be construed to prohibit the communication of a request to appear before the grand jury.

§ 1505. INFLUENCING OR INJURING WITNESS BEFORE AGENCIES AND COMMITTEES

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein, or;

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1506. THEFT OR ALTERATION OF RECORD OR PROCESS; FALSE BAIL

Whoever feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect; or

Whoever acknowledges, or procures to be acknowledged in any such court, any recognizance, bail, or judgment, in the name of any other person not privy or consenting to the same—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

CHAPTER 75.—PASSPORTS AND VISAS

Sec.

1541. Issuance without authority.
1542. False statement in application and use of passport.
1543. Forgery or false use of passport.
1544. Misuse of passport.
1545. Safe conduct violation.
1546. Fraud and misuse of visas and permits.

§ 1541. ISSUANCE WITHOUT AUTHORITY

Whoever, acting or claiming to act in any office or capacity under the United States, or a State or possession, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person whomsoever; or

Whoever, being a consular officer authorized to grant, issue, or verify passports, knowingly and willfully grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not—

Shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1542. FALSE STATEMENT IN APPLICATION AND USE OF PASSPORT

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1543. FORGERY OR FALSE USE OF PASSPORT

Whoever falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

Whoever willfully and knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1544. MISUSE OF PASSPORT

Whoever willfully and knowingly uses, or attempts to use, any passport issued or designed for the use of another; or

Whoever willfully and knowingly uses or attempts to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports; or

Whoever willfully and knowingly furnishes, disposes of, or delivers a passport to any person, for use by another than the person for whose use it was originally issued and designed—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1545. SAFE CONDUCT VIOLATION

Whoever violates any safe conduct or passport duly obtained and issued under authority of the United States shall be fined not more than $2,000 or imprisoned not more than three years, or both.

§ 1546. FRAUD AND MISUSE OF VISAS AND PERMITS

Whoever knowingly forges, counterfeits, alters, or falsely makes any immigration visa or permit, or utters, uses, attempts to use, possesses, obtains, accepts, or receives any immigration visa or permit, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or

Whoever, except under direction of the Attorney General or other proper officer, knowingly possesses any blank permit, or engraves, sells, brings into the United States, or has in his control or possession any plate in the likeness of a plate designed for the printing of permits, or makes any print, photograph, or impression in the likeness of any immigration visa or permit, or has in his possession a distinctive paper which has been adopted by the Attorney General for the printing of immigration visas or permits; or

Whoever, when applying for an immigration visa or permit, or for admission to the United States, personates another, or falsely appears in the name of a deceased individual, or evades or attempts to evade the immigration laws by appearing under an assumed or fictitious name, or sells or otherwise disposes of, or offers to sell or otherwise dispose of, or utters, an immigration visa or permit, to any person not authorized by law to receive such document; or

Whoever knowingly makes under oath any false statement in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both.

CHAPTER 77.—PEONAGE AND SLAVERY

Sec.

1581. Peonage, obstructing enforcement.
1582. Vessels for slave trade.
1583. Enticement into slavery.
1584. Sale into involuntary servitude.
1585. Seizure, detention, transportation or sale of slaves.
1586. Service on vessels in slave trade.
1587. Possession of slaves aboard vessel.
1588. Transportation of slaves from United States.

§ 1581. PEONAGE; OBSTRUCTING ENFORCEMENT

(a) Whoever holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

(b) Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be liable to the penalities prescribed in subsection (a).

§ 1582. VESSELS FOR SLAVE TRADE

Whoever, whether as master, factor, or owner, builds, fits out, equips, loads, or otherwise prepares or sends away any vessel, in any port or place within the United States, or causes such vessel to sail from any such port or place, for the purpose of procuring any person from any foreign kingdom or country to be transported and held, sold, or otherwise disposed of as a slave, or held to service or labor, shall be fined not more than $5,000 or imprisoned not more than seven years, or both.

§ 1583. ENTICEMENT INTO SLAVERY

Whoever kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave; or

Whoever entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he may be made or held as a slave, or sent out of the country to be so made or held—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1584. SALE INTO INVOLUNTARY SERVITUDE

Whoever knowingly and willfully holds to involuntary servitude or sells into any condition of involuntary servitude, any other person for any term, or brings within the United States any person so held, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 1585. SEIZURE, DETENTION, TRANSPORTATION OR SALE OF SLAVES

Whoever, being a citizen or resident of the United States and a member of the crew or ship's company of any foreign vessel engaged in the slave trade, or whoever, being of the crew or ship's company of any vessel owned in whole or in part, or navigated for, or in behalf of, any citizen of the United States, lands from such vessel, and on any foreign shore seizes any person with intent to make that person a slave, or decoys, or forcibly brings, carries, receives, confines, detains or transports any person as a slave on board such vessel, or, on board such vessel, offers or attempts to sell any such person as a slave, or on the high seas or anywhere on tide water, transfers or delivers to any other vessel any such person with intent to make such person a slave, or lands or delivers on shore from such vessel any person with intent to sell, or having previously sold, such person as a slave, shall be fined not more than $5,000 or imprisoned not more than seven years, or both.

§ 1586. SERVICE ON VESSELS IN SLAVE TRADE

Whoever, being a citizen or resident of the United States, voluntarily serves on board of any vessel employed or made use of in the transportation of slaves from any foreign country or place to another, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 1587. POSSESSION OF SLAVES ABOARD VESSEL

Whoever, being the captain, master, or commander of any vessel found in any river, port, bay, harbor, or on the high seas within the jurisdiction of the United States, or hovering off the coast thereof, and having on board any person for the purpose of selling such person as a slave, or with intent to land such person for such purpose, shall be fined not more than $10,000 or imprisoned not more than four years, or both.

§ 1588. TRANSPORTATION OF SLAVES FROM UNITED STATES

Whoever, being the master or owner or person having charge of any vessel, receives on board any other person with the knowledge or intent that such person is to be carried from any place within the United States to any other place to be held or sold as a slave, or carries away from any place within the United States any such person with the intent that he may be so held or sold as a slave, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

CHAPTER 79.—PERJURY

Sec.
1621. Perjury generally.
1622. Subornation of perjury.

§ 1621. PERJURY GENERALLY

Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall, except as otherwise expressly

provided by law, be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1622. SUBORNATION OF PERJURY

Whoever procures another to commit any perjury is guilty of subornation of perjury, and shall be fined not more than $2,000 or imprisoned not more than five years, or both.

CHAPTER 81.—PIRACY AND PRIVATEERING

Sec.
1651. Piracy under law of nations.
1652. Citizens as pirates.
1653. Aliens as pirates.
1654. Arming or serving on privateers.
1655. Assault on commander as piracy.
1656. Conversion or surrender of vessel.
1657. Corruption of seamen and confederating with pirates.
1658. Plunder of distressed vessel.
1659. Attack to plunder vessel.
1660. Receipt of pirate property.
1661. Robbery ashore.

§ 1651. PIRACY UNDER LAW OF NATIONS

Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life.

§ 1652. CITIZENS AS PIRATES

Whoever, being a citizen of the United States, commits any murder or robbery, or any act of hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is a pirate, and shall be imprisoned for life.

§ 1653. ALIENS AS PIRATES

Whoever, being a citizen or subject of any foreign state, is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the state of which the offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is a pirate, and shall be imprisoned for life.

§ 1654. ARMING OR SERVING ON PRIVATEERS

Whoever, being a citizen of the United States, without the limits thereof, fits out and arms, or attempts to fit out and arm or is concerned in furnishing, fitting out, or arming any private vessel of war or privateer, with intent that such vessel shall be employed to cruise or commit hostilities upon the citizens of the United States or their property; or

Whoever takes the command of or enters on board of any such vessel with such intent; or

Whoever purchases any interest in any such vessel with a view to share in the profits thereof—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 1655. ASSAULT ON COMMANDER AS PIRACY

Whoever, being a seaman, lays violent hands upon his commander, to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall be imprisoned for life.

§ 1656. CONVERSION OR SURRENDER OF VESSEL

Whoever, being a captain or other officer or mariner of a vessel upon the high seas or on any other waters within the admiralty and maritime

jurisdiction of the United States, piratically or feloniously runs away with such vessel, or with any goods or merchandise thereof, to the value of $50 or over; or

Whoever yields up such vessel voluntarily to any pirate—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 1657. CORRUPTION OF SEAMEN AND CONFEDERATING WITH PIRATES

Whoever attempts to corrupt any commander, master, officer, or mariner to yield up or to run away with any vessel, or any goods, wares, or merchandise, or to turn pirate or to go over to or confederate with pirates, or in any wise to trade with any pirate, knowing him to be such; or

Whoever furnishes such pirate with any ammunition, stores, or provisions of any kind; or

Whoever fits out any vessel knowingly and, with a design to trade with, supply, or correspond with any pirate or robber upon the seas; or

Whoever consults, combines, confederates, or corresponds with any pirate or robber upon the seas, knowing him to be guilty of any piracy or robbery; or

Whoever, being a seaman, confines the master of any vessel—

Shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 1658. PLUNDER OF DISTRESSED VESSEL

(a) Whoever plunders, steals, or destroys any money, goods, merchandise, or other effects from or belonging to any vessel in distress, or wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

(b) Whoever willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; or

Whoever holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel sailing upon the sea into danger or distress or shipwreck—

Shall be imprisoned not less than ten years and may be imprisoned for life.

§ 1659. ATTACK TO PLUNDER VESSEL

Whoever, upon the high seas or other waters within the admiralty and maritime jurisdiction of the United States, by surprise or open force, maliciously attacks or sets upon any vessel belonging to another, with an intent unlawfully to plunder the same, or to despoil any owner thereof of any moneys, goods, or mechandise laden on board thereof, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 1660. RECEIPT OF PIRATE PROPERTY

Whoever, without lawful authority, receives or takes into custody any vessel, goods, or other property, feloniously taken by any robber or pirate against the laws of the United States, knowing the same to have been feloniously taken, shall be imprisoned not more than ten years.

§ 1661. ROBBERY ASHORE

Whoever, being engaged in any piratical cruise or enterprise, or being of the crew of any piratical vessel, lands from such vessel and commits robbery on shore, is a pirate, and shall be imprisoned for life.

CHAPTER 83.—POSTAL SERVICE

Sec.

1691. Laws governing postal savings.
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1693. Carriage of mail generally.
1694. Carriage of matter out of mail over post routes.
1695. Carriage of matter out of mail on vessels.
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1700. Desertion of mails.
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1730. Uniforms of carriers.
1731. Vehicles falsely labeled as carriers.
1732. Approval of bond or sureties by postmaster.

§ 1691. LAWS GOVERNING POSTAL SAVINGS

All the safeguards provided by law for the protection of public moneys, and all statutes relating to the embezzlement, conversion, improper handling, retention, use, or disposal of postal and money-order funds, false returns of postal and money-order business, forgery, counterfeiting, alteration, improper use or handling of postal and money-order blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor, with the punishments provided for such offenses are extended and made applicable to postal savings depository business and funds and related matters.

§ 1692. FOREIGN MAIL AS UNITED STATES MAIL

Every foreign mail, while being transported across the territory of the United States under authority of law, is mail of the United States, and any depredation thereon, or offense in respect thereto, shall be punishable as though it were United States mail.

§ 1693. CARRIAGE OF MAIL GENERALLY

Whoever, being concerned in carrying the mail, collects, receives, or carries any letter or packet, contrary to law, shall be fined not more than $50 or imprisoned not more than thirty days, or both.

§ 1694. CARRIAGE OF MATTER OUT OF MAIL OVER POST ROUTES

Whoever, having charge or control of any conveyance operating by land, air, or water, which regularly performs trips at stated periods on

any post route, or from one place to another between which the mail is regularly carried, carries, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such conveyance, or to the current business of the carrier, or to some article carried at the same time by the same conveyance, shall, except as otherwise provided by law, be fined not more than $50.

§ 1695. CARRIAGE OF MATTER OUT OF MAIL ON VESSELS

Whoever carries any letter or packet on board any vessel which carries the mail, otherwise than in such mail, shall, except as otherwise provided by law, be fined not more than $50 or imprisoned not more than thirty days, or both.

§ 1696. PRIVATE EXPRESS FOR LETTERS AND PACKETS

(a) Whoever establishes any private express for the conveyance of letters or packets, or in any manner causes or provides for the conveyance of the same by regular trips or at stated periods over any post route which is or may be established by law, or from any city, town, or place to any other city, town, or place, between which the mail is regularly carried, shall be fined not more than $500 or imprisoned not more than six months, or both.

This section shall not prohibit any person from receiving and delivering to the nearest post office, postal car, or other authorized depository for mail matter any mail matter properly stamped.

(b) Whoever transmits by private express or other unlawful means, or delivers to any agent thereof, or deposits at any appointed place, for the purpose of being so transmitted any letter or packet, shall be fined not more than $50.

(c) This chapter shall not prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by special messenger employed for the particular occasion only. Whenever more than twenty-five such letters or packets are conveyed or transmitted by such special messenger, the requirements of section 500 of Title 39, shall be observed as to each piece.

§ 1697. TRANSPORTATION OF PERSONS ACTING AS PRIVATE EXPRESS

Whoever, having charge or control of any conveyance operating by land, air, or water, knowingly conveys or knowingly permits the conveyance of any person acting or employed as a private express for the conveyance of letters or packets, and actually in possession of the same for the purpose of conveying them contrary to law, shall be fined not more than $150.

§ 1698. PROMPT DELIVERY OF MAIL FROM VESSEL

Whoever, having charge or control of any vessel passing between ports or places in the United States, and arriving at any such port or place where there is a post office, fails to deliver to the postmaster or at the post office, within three hours after his arrival, if in the daytime, and if at night, within two hours after the next sunrise, all letters and packages brought by him or within his power or control and not relating to the cargo, addressed to or destined for such port or place, shall be fined not more than $150.

For each letter or package so delivered he shall receive two cents unless the same is carried under contract.

§ 1699. CERTIFICATION OF DELIVERY FROM VESSEL

No vessel arriving within a port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered to the nearest post office, and the master or other person having charge or control thereof has signed and sworn to

the following declaration before the collector or other proper customs officer:

Declaration.

I, A. B., master ———, of the ———, arriving from ———, and now lying in the port of ———, do solemnly swear (or affirm) that I have to the best of my knowledge and belief delivered to the post office at ——— every letter and every bag, packet, or parcel of letters on board the said vessel during her last voyage, or in my possession or under my power or control.

Whoever, being the master or other person having charge or control of such vessel, breaks bulk before he has delivered such letters, shall be fined not more than $100.

§ 1700. DESERTION OF MAILS

Whoever, having taken charge of any mail, voluntarily quits or deserts the same before he has delivered it into the post office at the termination of the route, or to some known mail carrier, messenger, agent, or other employee in the Postal Service authorized to receive the same, shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1701. OBSTRUCTION OF MAILS GENERALLY

Whoever knowingly and willfully obstructs or retards the passage of the mail, or any carrier or conveyance carrying the mail, shall be fined not more than $100 or imprisoned not more than six months, or both.

§ 1702. OBSTRUCTION OF CORRESPONDENCE

Whoever takes any letter, postal card, or package out of any post office or any authorized depository for mail matter, or from any letter or mail carrier, or which has been in any post office or authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with design to obstruct the correspondence, or to pry into the business or secrets of another, or opens, secretes, embezzles, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1703. DELAY OR DESTRUCTION OF MAIL OR NEWSPAPERS

(a) Whoever, being a postmaster or Postal Service employee, unlawfully detains, delays, or opens any letter, postal card, package, bag, or mail intrusted to him or which shall come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any carrier or other employee of the Postal Service, or forwarded through or delivered from any post office or station thereof established by authority of the Postmaster General; or secrets, or destroys any such letter, postal card, package, bag, or mail, shall be fined not more than $500 or imprisoned not more than five years, or both.

(b) Whoever, being a postmaster or Postal Service employee, improperly detains, delays, or destroys any newspaper, or permits any other person to detain, delay, or destroy the same, or opens, or permits any other person to open, any mail or package of newspapers not directed to the office where he is employed; or

Whoever, without authority, opens, or destroys any mail or package of newspaper not directed to him, shall be fined not more than $100 or imprisoned not more than one year, or both.

§ 1704. KEYS OR LOCKS STOLEN OR REPRODUCED

Whoever steals, purloins, embezzles, or obtains by false pretense any key suited to any lock adopted by the Post Office Department and in use on any of the mails or bags thereof, or any key to any lock box, lock drawer, or other authorized receptacle for the deposit or delivery of mail matter; or

Whoever knowingly and unlawfully makes, forges, or counterfeits any such key, or possesses any such mail lock or key with the intent unlawfully or improperly to use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of; or

Whoever, being engaged as a contractor or otherwise in the manufacture of any such mail lock or key, delivers any finished or unfinished lock or the interior part thereof, or key, used or designed for use by the department, to any person not duly authorized under the hand of the Postmaster General and the seal of the Post Office Department, to receive the same, unless the person receiving it is the contractor for furnishing the same or engaged in the manufacture thereof in the manner authorized by the contract, or the agent of such manufacturer—

Shall be fined not more than $500 or imprisoned not more than ten years, or both.

§ 1705. DESTRUCTION OF LETTER BOXES OR MAIL

Whoever, having charge or control of any conveyance destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or breaks open the same, or willfully or maliciously injures, defaces, or destroys any mail deposited therein, shall be fined not more than $1,000 or imprisoned not more than three years.

§ 1706. INJURY TO MAIL BAGS

Whoever tears, cuts, or otherwise injures any mail bag, pouch, or other thing used or designed for use in the conveyance of the mail, or draws or breaks any staple or loosens any part of any lock, chain, or strap attached thereto, with intent to rob or steal any such mail, or to render the same insecure, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 1707. THEFT OF PROPERTY USED BY POSTAL SERVICE

Whoever steals, purloins, or embezzles any property used by the Post Office Department, or appropriates any such property to his own or any other than its proper use, or conveys away any such property to the hindrance or detriment of the public service, shall be fined not more than $1,000 or imprisoned not more than three years, or both; but if the value of such property does not exceed $100, he shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1708. THEFT OR RECEIPT OF STOLEN MAIL MATTER GENERALLY

Whoever steals, takes, or abstracts, or by fraud or deception obtains, or attempts so to obtain, from or out of any mail, post office, or station thereof, letter box, mail receptacle, or any mail route or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or abstracts or removes from any such letter, package, bag, or mail, any article or thing contained therein, or secretes, embezzles, or destroys any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or

Whoever steals, takes, or abstracts, or by fraud or deception obtains any letter, postal card, package, bag, or mail, or any article or thing contained therein which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or

Whoever buy, receives, or conceals, or unlawfully has in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted—

Shall be fined not more than $2,000 or imprisoned not more than five years, or both; but if the value or face value of any such article or thing does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1709. THEFT OF MAIL MATTER BY POSTMASTER OR EMPLOYEE

Whoever, being a postmaster or Postal Service employee, embezzles any letter, postal card, package, bag, or mail or any article or thing contained therein intrusted to him or which comes into his possession intended to be conveyed by mail, or carried or delivered by any carrier, messenger, agent, or other person employed in any department of the Postal Service, or forwarded through or delivered from any post office or station thereof established by authority of the Postmaster General; or steals, abstracts, or removes from any such letter, package, bag, or mail, any article or thing contained therein, shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 1710. THEFT OF NEWSPAPERS

Whoever, being a postmaster or Postal Service employee, takes or steals any newspaper or package of newspapers from any post office or from any person having custody thereof, shall be fined not more than $100 or imprisoned not more than one year, or both.

§ 1711. MISAPPROPRIATION OF POSTAL FUNDS

Whoever, being a postmaster or Postal Service employee, loans, uses, pledges, hypothecates, or converts to his own use, or deposits in any bank, or exchanges for other funds or property, except as authorized by law, any money or property coming into his hands or under his control in any manner, in the execution or under color of his office, employment, or service, whether or not the same shall be the money or property of the United States; or fails or refuses to remit to or deposit in the Treasury of the United States or in a designated depository, or to account for or turn over to the proper officer or agent, any such money or property, when required to do so by law or the regulations of the Post Office Department, or upon demand or order of the Postmaster General, either directly or through a duly authorized officer or agent, is guilty of embezzlement; and every such person, as well as every other person advising or knowingly participating therein, shall be fined in a sum equal to the amount or value of the money or property embezzled or imprisoned not more than ten years, or both; but if the amount or value thereof does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

This section shall not prohibit any postmaster from depositing, under the direction of the Postmaster General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such bank, or through United States disbursing officers, or otherwise, when instructed or required so to do by the Postmaster General, for the purpose of remitting surplus funds from one post office to another.

§ 1712. FALSIFICATION OF POSTAL RETURNS TO INCREASE COMPENSATION

Whoever, being a postmaster or Postal Service employee, makes a false return, statement, or account to any officer of the United States, or makes a false entry in any record, book, or account, required by law or the rules or regulations of the Post Office Department to be kept in respect of the business or operations of any post office or other branch of the Postal Service, for the purpose of fraudulently increasing his compensation or the compensation of the postmaster or any employee in a post office; or

Whoever, being a postmaster or employee in any post office or station thereof, for the purpose of increasing the emoluments or compensation of his office, induces, or attempts to induce, any person to deposit mail matter in, or forward in any manner for mailing at, the office where such postmaster or other person is employed, knowing such matter to be properly mailable at another post office—

Shall be fined not more than $500 or imprisoned not more than two years, or both.

§ 1713. ISSUANCE OF MONEY ORDERS WITHOUT PAYMENT

Whoever, being a postmaster or other person employed in any branch of the Postal Service, issues a money order without having previously received the money therefor, shall be fined not more than $500.

§ 1714. FOREIGN DIVORCE INFORMATION AS NONMAILABLE

Every written or printed card, circular, letter, book, pamphlet, advertisement, or notice of any kind, giving or offering to give information concerning where or how or through whom a divorce may be secured in a foreign country, and designed to solicit business in connection with the procurement thereof, is nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier.

Whoever knowingly deposits, for mailing or delivery, anything declared by this section to be nonmailable, or knowingly takes the same from the mails for the purpose of circulating or disposing thereof, shall be fined not more than $5,000 or imprisoned for not more than one year, or both.

§ 1715. FIREARMS AS NONMAILABLE; REGULATIONS

Pistols, revolvers, and other firearms capable of being concealed on the person are nonmailable and shall not be deposited in or carried by the mails or delivered by any postmaster, letter carrier, or other person in the Postal Service. Such articles may be conveyed in the mails, under such regulations as the Postmaster General shall prescribe, for use in connection with their official duty, to officers of the Army, Navy, Coast Guard, Marine Corps, or Officers' Reserve Corps; to officers of the National Guard or Militia of a State, Territory, or District; to officers of the United States or of a State, Territory, or District whose official duty is to serve warrants of arrest or commitments; to employees of the Postal Service; to officers and employees of enforcement agencies of the United States; and to watchmen engaged in guarding the property of the United States, a State, Territory, or District. Such articles also may be conveyed in the mails to manufacturers of firearms or bona fide dealers therein in customary trade shipments, including such articles for repairs or replacement of parts, from one to the other, under such regulations as the Postmaster General shall prescribe.

Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any pistol, revolver, or firearm declared nonmailable by this section, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

§ 1716. INJURIOUS ARTICLES AS NONMAILABLE

All kinds of poison, and all articles and compositions containing poison, and all poisonous animals, insects, reptiles, and all explosives, inflammable materials, infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and all disease germs or scabs, and all other natural or artificial articles, compositions, or material which may kill or injure another, or injure

the mails or other property, whether or not sealed as first-class matter, are nonmailable matter and shall not be conveyed in the mails or delivered from any post office or station thereof, nor by any letter carrier.

The Postmaster General may permit the transmission in the mails, under such rules and regulations as he shall prescribe as to preparation and packing, of any such articles which are not outwardly or of their own force dangerous or injurious to life, health, or property.

The transmission in the mails of poisonous drugs and medicines may be limited by the Postmaster General to shipments of such articles from the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians, under such rules and regulations as he shall prescribe.

All spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind are nonmailable and shall not be deposited in or carried through the mails.

Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail, according to the direction thereon, or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared nonmailable by this section, unless in accordance with the rules and regulations authorized to be prescribed by the Postmaster General, shall be fined not more than $1,000 or imprisoned not more than two years, or both.

Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail, according to the direction thereon or at any place to which it is directed to be delivered by the person to whom it is addressed, anything declared nonmailable by this section, whether or not transmitted in accordance with the rules and regulations authorized to be prescribed by the Postmaster General, with intent to kill or injure another, or injure the mails or other property, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 1717. LETTERS AND WRITINGS AS NONMAILABLE; OPENING LETTERS

(a) Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, in violation of sections 499, 506, 793, 794, 915, 954, 956, 957, 960, 964, 1017, 1542, 1543, 1544 or 2388 of this title or which contains any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States is nonmailable and shall not be conveyed in the mails or delivered from any post office or by any letter carrier.

Ante, pp. 712, 714, 736, 737, 743, 744, 745, 747, 753, 771; *post*, p. 811.

(b) Whoever uses or attempts to use the mails or Postal Service of the United States for the transmission of any matter declared by this section to be nonmailable, shall be fined not more than $5,000 or imprisoned not more than ten years or both.

(c) No person other than a duly authorized employee of the Dead Letter Office, or other person upon a search warrant authorized by law, shall open any letter not addressed to himself.

§ 1718. LIBELOUS MATTER ON WRAPPERS OR ENVELOPES

All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, or any postal card upon which is written or printed or otherwise impressed or apparent any delineation, epithet, term, or language of libelous, scurrilous, defamatory, or threatening character, or calculated by the terms or manner or style of display and obviously intended to reflect injuriously upon the character or conduct of another, is nonmailable matter, and shall not be conveyed in the mails nor delivered from any post office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe.

Whoever knowingly deposits for mailing or delivery, anything declared by this section to be nonmailable matter, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1719. FRANKING PRIVILEGE

Whoever makes use of any official envelope, label, or indorsement authorized by law, to avoid the payment of postage or registry fee on his private letter, packet, package, or other matter in the mail, shall be fined not more than $300.

§ 1720. CANCELED STAMPS AND ENVELOPES

Whoever uses or attempts to use in payment of postage, any canceled postage stamp, whether the same has been used or not, or removes, attempts to remove, or assists in removing, the canceling or defacing marks from any postage stamp, or the superscription from any stamped envelope, or postal card, that has once been used in payment of postage, with the intent to use the same for a like purpose, or to sell or offer to sell the same, or knowingly possesses any such postage stamp, stamped envelope, or postal card, with intent to use the same or knowingly sells or offers to sell any such postage stamp, stamped envelope, or postal card, or uses or attempts to use the same in payment of postage; or

Whoever unlawfully and willfully removes from any mail matter any stamp attached thereto in payment of postage; or

Whoever knowingly uses in payment of postage, any postage stamp, postal card, or stamped envelope, issued in pursuance of law, which has already been used for a like purpose—

Shall be fined not more than $500 or imprisoned not more than one year, or both; but if he is a person employed in the Postal Service, he shall be fined not more than $500 or imprisoned not more than three years, or both.

§ 1721. SALE OR PLEDGE OF STAMPS

Whoever, being a postmaster or Postal Service employee entrusted with the sale or custody of postage stamps, stamped envelopes, or postal cards, uses or disposes of them in the payment of debts, or in the purchase of merchandise or other salable articles, or pledges or hypothecates the same, or sells or disposes of them except for cash; or sells or disposes of postage stamps or postal cards for any larger or less sum than the values indicated on their faces; or sells or disposes of stamped envelopes for a larger or less sum than is charged therefor by the Post Office Department for like quantities; or sells or disposes of postage stamps, stamped envelopes, or postal cards at any point or place outside of the delivery of the office where such postmaster or other person is employed; or for the purpose of increasing the emoluments, or compensation of the postmaster or any employee of a post office or station thereof, or the allowances or facilities provided therefor, induces or attempts to induce any person to purchase at such post office or any station thereof, or from any employee of such post office, postage stamps, stamped envelopes, or postal cards; or sells or disposes of postage stamps, stamped envelopes, or postal cards, otherwise than as provided by law or the regulations of the Post Office Department, shall be fined not more than $500 or imprisoned not more than one year, or both.

§ 1722. FALSE EVIDENCE TO SECURE SECOND-CLASS RATE

Whoever knowingly submits to any postmaster or to the Post Office Department or any officer of the Postal Service, any false evidence relative to any publication for the purpose of securing the admission

thereof at the second-class rate, for transportation in the mails, shall be fined not more than $500.

§ 1723. AVOIDANCE OF POSTAGE BY USING LOWER CLASS MATTER

Matter of the second, third, or fourth class containing any writing or printing in addition to the original matter, other than as authorized by law, shall not be admitted to the mails, nor delivered, except upon payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed, unless by direction of the Postmaster General such postage shall be remitted.

Whoever knowingly conceals or incloses any matter of a higher class in that of a lower class, and deposits the same for conveyance by mail, at a less rate than would be charged for such higher class matter, shall be fined not more than $100.

§ 1724. POSTAGE ON MAIL DELIVERED BY FOREIGN VESSELS

All letters or other mailable matter conveyed to or from any part of the United States by any foreign vessel, except such sealed letters relating to such vessel or any part of the cargo thereof as may be directed to the owners or consignees of the vessel, shall be subject to postage charge, whether addressed to any person in the United States or elsewhere, provided they are conveyed by the packet or other ship of a foreign country imposing postage on letters or other mailable matter conveyed to or from such country by any vessel of the United States; and such letters or other mailable matter carried in foreign vessels, except such sealed letters relating to the vessel or any part of the cargo thereof as may be directed to the owners or consignees, shall be delivered into the United States post office by the master or other person having charge or control of such vessel when arriving, and be taken from the United States post office when departing, and the postage justly chargeable by law paid thereon; and for refusing or failing to do so, or for conveying such letters or other mailable matter, or any letters or other mailable matter, intended to be conveyed in any vessel of such foreign country, over or across the United States, or any portion thereof, the party offending shall be fined not more than $1,000.

Requirement by Postmaster General.

Except as otherwise provided by treaty or convention the Postmaster General may require the transportation by any steamships of mail between the United States and any foreign port at the compensation fixed under authority of law. Upon refusal by the master or the commander of such steamship or vessel to accept the mail, when tendered by the Postmaster General or his representative, the collector or other officer of the port empowered to grant clearance, on notice of the refusal aforesaid, shall withhold clearance until the collector or other officer of the port is informed by the Postmaster General or his representative that the master or commander of the steamship or vessel has accepted the mail or that conveyance by his steamship or vessel is no longer required by the Postmaster General.

§ 1725. POSTAGE UNPAID ON DEPOSITED MAIL MATTER

Whoever knowingly and willfully deposits any mailable matter such as statements of accounts, circulars, sale bills, or other like matter, on which no postage has been paid, in any letter box established, approved, or accepted by the Postmaster General for the receipt or delivery of mail matter on any mail route with intent to avoid payment of lawful postage thereon, shall for each such offense be fined not more than $300.

§ 1726. POSTAGE COLLECTED UNLAWFULLY

Whoever, being a postmaster or other person authorized to receive the postage of mail matter, fraudulently demands or receives any rate of postage or gratuity or reward other than is provided by law for the

postage of such mail matter, shall be fined not more than $100 or imprisoned not more than six months, or both.

§ 1727. POSTAGE ACCOUNTING

Whoever, being a postmaster or other person engaged in the Postal Service, collects and fails to account for the postage due upon any article of mail matter which he may deliver, without having previously affixed and canceled the special stamp provided by law, or fails to affix such stamp, shall be fined not more than $50.

§ 1728. WEIGHT OF MAIL INCREASED FRAUDULENTLY

Whoever places any matter in the mails during the regular weighing period, for the purpose of increasing the weight of the mail, with intent to cause an increase in the compensation of the railroad mail carrier over whose route such mail may pass, shall be fined not more than $20,000 or imprisoned not more than five years, or both.

§ 1729. POST OFFICE CONDUCTED WITHOUT AUTHORITY

Whoever, without authority from the Postmaster General, sets up or professes to keep any office or place of business bearing the sign, name, or title of post office, shall be fined not more than $500.

§ 1730. UNIFORMS OF CARRIERS

Whoever, not being connected with the letter-carrier branch of the Postal Service, wears the uniform or badge which may be prescribed by the Postmaster General to be worn by letter carriers, shall be fined not more than $100 or imprisoned not more than six months, or both.

§ 1731. VEHICLES FALSELY LABELED AS CARRIERS

It shall be unlawful to paint, print, or in any manner to place upon or attach to any steamboat or other vessel, or any car, stagecoach, vehicle, or other conveyance, not actually used in carrying the mail, the words "United States Mail", or any words, letters, or characters of like import; or to give notice, by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any car, stagecoach, vehicle, or other conveyance, is used in carrying the mail, when the same is not actually so used.

Whoever violates, and every owner, receiver, lessee, or managing operator who suffers, or permits the violation of, any provision of this section, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1732. APPROVAL OF BOND OR SURETIES BY POSTMASTER

Whoever, being a postmaster, affixes his signature to the approval of any bond of a bidder, or to the certificate of sufficiency of sureties in any contract, before the said bond or contract is signed by the bidder or contractor and his sureties, or knowingly, or without the exercise of due diligence, approves any bond of a bidder with insufficient sureties, or knowingly makes any false or fraudulent certificate, shall be fined not more than $5,000 or imprisoned not more than one year, or both; and shall be dismissed from office and disqualified from holding the office of postmaster.

CHAPTER 85.—PRISON-MADE GOODS

Sec.

1761. Transportation or importation.
1762. Marking packages.

§ 1761. TRANSPORTATION OR IMPORTATION

(a) Whoever knowingly transports in interstate commerce or from any foreign country into the United States any goods, wares, or merchandise manufactured, produced, or mined, wholly or in part by convicts or prisoners, except convicts or prisoners on parole or probation,

or in any penal or reformatory institution, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) This chapter shall not apply to agricultural commodities or parts for the repair of farm machinery, nor to commodities manufactured in a Federal, District of Columbia, or State institution for use by the Federal Government, or by the District of Columbia, or by any State or Political subdivision of a State.

§ 1762. MARKING PACKAGES

(a) All packages containing any goods, wares, or merchandise manufactured, produced, or mined wholly or in part by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal or reformatory institution, when shipped or transported in interstate or foreign commerce shall be plainly and clearly marked, so that the name and address of the shipper, the name and address of the consignee, the nature of the contents, and the name and location of the penal or reformatory institution where produced wholly or in part may be readily ascertained on an inspection of the outside of such package.

(b) Whoever violates this section shall be fined not more than $1,000, and any goods, wares, or merchandise transported in violation of this section or section 1761 of this title shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contrary to law.

Ante, p. 785.

CHAPTER 87.—PRISONS

Sec.

1791. Traffic in contraband articles.
1792. Mutiny, riot, dangerous instrumentalities prohibited.

§ 1791. TRAFFIC IN CONTRABAND ARTICLES

Whoever, contrary to any rule or regulation promulgated by the Attorney General, introduces or attempts to introduce into or upon the grounds of any Federal penal or correctional institution or takes or attempts to take or send therefrom any thing whatsoever, shall be imprisoned not more than ten years.

§ 1792. MUTINY, RIOT, DANGEROUS INSTRUMENTALITIES PROHIBITED

Whoever instigates, connives, willfully attempts to cause, assists, or conspires to cause any mutiny or riot, at any Federal penal or correctional institution, or without the knowledge or consent of the warden or superintendent, conveys into such institution, or from place to place therein any tool, device, or substance designed to cut, abrade, or destroy the materials, or any part thereof, of which any building of such institution is constructed, or any other substance or thing designed to injure or destroy any building, or any part thereof, of such institution; or

Whoever conveys into such institution, or from place to place therein, any firearm, weapon, explosive, or any lethal or poisonous gas, or any other substance or thing designed to kill, injure, or disable any officer, agent, employee, or inmate thereof, or conspires so to do—

Shall be imprisoned not more than ten years.

CHAPTER 89.—PROFESSIONS AND OCCUPATIONS

Sec.

1821. Transportation of dentures.

§ 1821. TRANSPORTATION OF DENTURES

Whoever transports by mail or otherwise to or within the District of Columbia, the Canal Zone or any Possession of the United States

or uses the mails or any instrumentality of interstate commerce for the purpose of sending or bringing into any State or Territory any set of artificial teeth or prosthetic dental appliance or other denture, constructed from any cast or impression made by any person other than, or without the authorization or prescription of, a person licensed to practice dentistry under the laws of the place into which such denture is sent or brought, where such laws prohibit;

(1) the taking of impressions or casts of the human mouth or teeth by a person not licensed under such laws to practice dentistry;

(2) the construction or supply of dentures by a person other than, or without the authorization or prescription of, a person licensed under such laws to practice dentistry; or

(3) the construction or supply of dentures from impressions or casts made by a person not licensed under such laws to practice dentistry—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CHAPTER 91.—PUBLIC LANDS

Sec.

1851. Coal depredations.
1852. Timber removed or transported.
1853. Trees cut or injured.
1854. Trees boxed for pitch or turpentine.
1855. Timber set afire.
1856. Fires left unattended and unextinguished.
1857. Fences destroyed; livestock entering.
1858. Survey marks destroyed or removed.
1859. Surveys interrupted.
1860. Bids at land sales.
1861. Deception of prospective purchasers.
1862. Trespass on Bull Run National Forest.

§ 1851. COAL DEPREDATIONS

Whoever mines or removes coal of any character, whether anthracite, bituminous, or lignite, from beds or deposits in lands of, or reserved to the United States, with intent wrongfully to appropriate, sell, or dispose of the same, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

This section shall not interfere with any right or privilege conferred by existing laws of the United States.

§ 1852. TIMBER REMOVED OR TRANSPORTED

Whoever cuts, or wantonly destroys any timber growing on the public lands of the United States; or

Whoever removes any timber from said public lands, with intent to export or to dispose of the same; or

Whoever, being the owner, master, pilot, operator, or consignee of any vessel, motor vehicle, or aircraft or the owner, director, or agent of any railroad, knowingly transports any timber so cut or removed from said lands, or lumber manufactured therefrom—

Shall be fined not more that $1,000 or imprisoned not more than one year, or both.

This section shall not prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or in the preparation of his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States; nor shall it interfere with or take away any right or privilege under any existing law of the United States to cut or remove timber from any public lands.

§ 1853. TREES CUT OR INJURED

Whoever unlawfully cuts, or wantonly injures or destroys any tree growing, standing, or being upon any land of the United States which,

in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1854. TREES BOXED FOR PITCH OR TURPENTINE

Whoever cuts, chips, chops, or boxes any tree upon any lands belonging to the United States, or upon any lands covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance; or

Whoever buys, trades for, or in any manner acquires any pitch, turpentine, or other substance, or any article or commodity made from any such pitch, turpentine, or other substance, with knowledge that the same has been so unlawfully obtained—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1855. TIMBER SET AFIRE

Whoever, willfully and without authority, sets on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States, or under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

This section shall not apply in the case of a fire set by an allottee in the reasonable exercise of his proprietary rights in the allotment.

§ 1856. FIRES LEFT UNATTENDED AND UNEXTINGUISHED

Whoever, having kindled or caused to be kindled, a fire in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, and including any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same is held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, leaves said fire without totally extinguishing the same, or permits or suffers said fire to burn or spread beyond his control, or leaves or suffers said fire to burn unattended, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 1857. FENCES DESTROYED; LIVESTOCK ENTERING

Whoever knowingly and unlawfully breaks, opens, or destroys any gate, fence, hedge, or wall inclosing any lands of the United States reserved or purchased for any public use; or

Whoever drives any cattle, horses, hogs, or other livestock upon

any such lands for the purposes of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or

Whoever knowingly permits his cattle, horses, hogs, or other livestock to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs, or other livestock may or can destroy the grass or trees or other property of the United States on the said lands—

Shall be fined not more than $500 or imprisoned not more than one year, or both.

This section shall not apply to unreserved public lands.

§ 1858. SURVEY MARKS DESTROYED OR REMOVED

Whoever willfully destroys, defaces, changes, or removes to another place any section corner, quarter-section corner, or meander post, on any Government line of survey, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes, or removes any monument or bench mark of any Government survey, shall be fined not more than $250 or imprisoned not more than six months, or both.

§ 1859. SURVEYS INTERRUPTED

Whoever, by threats or force, interrupts, hinders, or prevents the surveying of the public lands, or of any private land claim which has been or may be confirmed by the United States, by the persons authorized to survey the same in conformity with the instructions of the Commissioner of the General Land Office, shall be fined not more than $3,000 or imprisoned not more than three years, or both.

§ 1860. BIDS AT LAND SALES

Whoever bargains, contracts, or agrees, or attempts to bargain, contract, or agree with another that such other shall not bid upon or purchase any parcel of lands of the United States offered at public sale; or

Whoever, by intimidation, combination, or unfair management, hinders, prevents, or attempts to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 1861. DECEPTION OF PROSPECTIVE PURCHASERS

Whoever, for a reward paid or promised to him in that behalf, undertakes to locate for an intending purchaser, settler, or entryman any public lands of the United States subject to disposition under the public-land laws, and who willfully and falsely represents to such intending purchaser, settler, or entryman that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, with intent to deceive the person to whom such representation is made, or who, in reckless disregard of the truth, falsely represents to any such person that any tract of land shown to him is public land of the United States subject to sale, settlement, or entry, or that it is of a particular surveyed description, thereby deceiving the person to whom such representation is made, shall be fined not more than $300 or imprisoned not more than one year, or both.

§ 1862. TRESPASS ON BULL RUN NATIONAL FOREST

Whoever knowingly trespasses upon any part of the reserve known as Bull Run National Forest, in the Cascade Mountains, in the State of Oregon, or unlawfully enters thereon for the purpose of grazing stock, or engages in grazing stock thereon, or permits stock of any

kind to graze thereon, shall be fined not more than $500 or imprisoned not more than six months, or both.

This section shall not apply to forest rangers and other persons employed by the United States to protect the forest, or to Federal and State officers and employees of the water board of the City of Portland, State of Oregon, in the discharge of their duties.

CHAPTER 93.—PUBLIC OFFICERS AND EMPLOYEES

Sec.
1901. Collecting or disbursing officer trading in public property.
1902. Disclosure of crop information and speculation thereon.
1903. Speculation in stocks or commodities affecting crop insurance.
1904. Disclosure of information or speculation in securities affecting Reconstruction Finance Corporation.
1905. Disclosure of confidential information generally.
1906. Disclosure of information by bank examiner.
1907. Disclosure of information by farm credit examiner.
1908. Disclosure of information by National Agricultural Credit Corporation examiner.
1909. Examiner performing other services.
1910. Nepotism in appointment of receiver or trustee.
1911. Receiver mismanaging property.
1912. Unauthorized fees for inspection of vessels.
1913. Lobbying with appropriated moneys.
1914. Salary of Government officials and employees payable only by United States.
1915. Compromise of customs liabilities.

§ 1901. COLLECTING OR DISBURSING OFFICER TRADING IN PUBLIC PROPERTY

Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined not more than $3,000 or imprisoned not more than one year, or both; and shall be removed from office, and be incapable of holding any office under the United States.

§ 1902. DISCLOSURE OF CROP INFORMATION AND SPECULATION THEREON

Whoever, being an officer, employee or person acting for or on behalf of the United States or any department or agency thereof, and having by virtue of his office, employment or position, become possessed of information which might influence or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of such department or agency required to be withheld from publication until a fixed time, willfully imparts, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or agency to receive the same; or, before such information is made public through regular official channels, directly or indirectly speculates in any such product by buying or selling the same in any quantity, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

No person shall be deemed guilty of a violation of any such rules, unless prior to such alleged violation he shall have had actual knowledge thereof.

§ 1903. SPECULATION IN STOCKS OR COMMODITIES AFFECTING CROP INSURANCE

Whoever, while acting in any official capacity in the administration of any Act of Congress relating to crop insurance or to the Federal Crop Insurance Corporation speculates in any agricultural commodity or product thereof, to which such enactments apply, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing

of any such commodity or product, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

§ 1904. DISCLOSURE OF INFORMATION OR SPECULATION IN SECURITIES AFFECTING RECONSTRUCTION FINANCE CORPORATION

Whoever, being connected in any capacity with the Reconstruction Finance Corporation, gives any unauthorized information concerning any future action or plan of the said Corporation which might affect the value of securities, or, having such knowledge, invests or speculates, directly or indirectly in the securities or property of any company, bank, or corporation receiving loans or other assistance from the said Corporation, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1905. DISCLOSURE OF CONFIDENTIAL INFORMATION GENERALLY

Whoever, being an officer or employee of the United States or of any department or agency thereof, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined not more than $1,000, or imprisoned not more than one year, or both; and shall be removed from office or employment.

§ 1906. DISCLOSURE OF INFORMATION BY BANK EXAMINER

Whoever, being an examiner, public or private, discloses the names of borrowers or the collateral for loans of any member bank of the Federal Reserve System, or bank insured by the Federal Deposit Insurance Corporation, examined by him, to other than the proper officers of such bank, without first having obtained the express permission in writing from the Comptroller of the Currency as to a national bank, the Board of Governors of the Federal Reserve System as to a State member bank, or the Federal Deposit Insurance Corporation as to any other insured bank, or from the board of directors of such bank, except when ordered to do so by a court of competent jurisdiction, or by direction of the Congress of the United States, or either House thereof, or any committee of Congress or either House duly authorized, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 1907. DISCLOSURE OF INFORMATION BY FARM CREDIT EXAMINER

Whoever, being a farm credit examiner or any examiner, public or private, discloses the names of borrowers of any national farm loan association, Federal land bank, or joint-stock land bank, or any organization examined by him under the provisions of law relating to Federal intermediate credit banks, to other than the proper officers of such institution or organization, without first having obtained express permission in writing from the Land Bank Commissioner or from the board of directors of such institution or organization, except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States or either House thereof, or any committee of Congress or either House duly authorized, shall be fined

not more than $5,000 or imprisoned not more than one year, or both; and shall be disqualified from holding office as a farm credit examiner.

§ 1908. DISCLOSURE OF INFORMATION BY NATIONAL AGRICULTURAL CREDIT CORPORATION EXAMINER

Whoever, being an examiner appointed under the provisions of law relating to National Agricultural Credit Corporations, discloses the names of borrowers of any organization examined by him, to other than the proper officers of such organization, without first having obtained express permission in writing from the Comptroller of the Currency or from the board of directors of such organization, except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States or either House thereof, or any committee of Congress or either House duly authorized, shall be fined not more than $5,000 or imprisoned not more than one year, or both; and shall be disqualified from holding office as such examiner.

§ 1909. EXAMINER PERFORMING OTHER SERVICES

Whoever, being a national-bank examiner, Federal Deposit Insurance Corporation examiner, farm credit examiner, or an examiner of National Agricultural Credit Corporations, performs any other service, for compensation, for any bank or banking or loan association, or for any officer, director, or employee thereof, or for any person connected therewith in any capacity, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

§ 1910. NEPOTISM IN APPOINTMENT OF RECEIVER OR TRUSTEE

Whoever, being a judge of any court of the United States, appoints as receiver, or trustee, any person related to such judge by consanguinity, or affinity, within the fourth degree—

Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

§ 1911. RECEIVER MISMANAGING PROPERTY

Whoever, being a receiver, trustee, or manager in possession of any property in any cause pending in any court of the United States, willfully fails to manage and operate such property according to the requirements of the valid laws of the State in which such property shall be situated, in the same manner that the owner or possessor thereof would be bound to do if in possession thereof, shall be fined not more than $3,000 or imprisoned not more than one year, or both.

§ 1912. UNAUTHORIZED FEES FOR INSPECTION OF VESSELS

Whoever, being an officer, employee, or agent of the United States or any agency thereof, engaged in inspection of vessels, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall be fined not more than $500 or imprisoned not more than six months, or both; and shall forfeit his office.

§ 1913. LOBBYING WITH APPROPRIATED MONEYS

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations

which they deem necessary for the efficient conduct of the public business.

Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.

§ 1914. SALARY OF GOVERNMENT OFFICIALS AND EMPLOYEES PAYABLE ONLY BY UNITED STATES

Whoever, being a Government official or employee, receives any salary in connection with his services as such an official or employee from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality; or

Whoever, whether a person, association, or corporation, makes any contribution to, or in any way supplements the salary of, any Government official or employee for the services performed by him for the Government of the United States—

Shall be fined not more than $1,000 or imprisoned not more than six months, or both.

§ 1915. COMPROMISE OF CUSTOMS LIABILITIES

Whoever, being an officer of the United States, without lawful authority compromises or abates or attempts to compromise or abate any claim of the United States arising under the customs laws for any fine, penalty or forfeiture, or in any manner relieves or attempts to relieve any person, vessel, vehicle, merchandise or baggage therefrom, shall be fined not more than $5,000 or imprisoned not more than two years, or both.

CHAPTER 95.—RACKETEERING

Sec.

1951. Interference with commerce by threats or violence.

§ 1951. INTERFERENCE WITH COMMERCE BY THREATS OR VIOLENCE

(a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

(b) As used in this section—

"Robbery."

(1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

"Extortion."

(2) The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

"Commerce."

(3) The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place

outside such State; and all other commerce over which the United States has jurisdiction.

29 U. S. C., Supp. I, §§ 151–166.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.

CHAPTER 97.—RAILROADS

Sec.

1991. Entering train to commit crime.
1992. Wrecking trains.

§ 1991. ENTERING TRAIN TO COMMIT CRIME

Whoever, in any Territory or District, or within or upon any place within the exclusive jurisdiction of the United States, willfully and maliciously trespasses upon or enters upon any railroad train, railroad car, or railroad locomotive, with the intent to commit murder or robbery, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

Whoever, within such jurisdiction, willfully and maliciously trespasses upon or enters upon any railroad train, railroad car, or railroad locomotive, with intent to commit any unlawful violence upon or against any passenger on said train, or car, or upon or against any engineer, conductor, fireman, brakeman, or any officer or employee connected with said locomotive, train, or car, or upon or against any express messenger or mail agent on said train or in any car thereof, or to commit any crime or offense against any person or property thereon, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Upon the trial of any person charged with any offense set forth in this section, it shall not be necessary to set forth or prove the particular person against whom it was intended to commit the offense, or that it was intended to commit such offense against any particular person.

§ 1992. WRECKING TRAINS

Whoever willfully derails, disables, or wrecks any train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce by any railroad; or

Whoever willfully sets fire to, or places any explosive substance on or near, or undermines any tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of any such railroad in interstate or foreign commerce, or otherwise makes any such tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance unworkable or unusable or hazardous to work or use, with the intent to derail, disable, or wreck a train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce; or

Whoever willfully attempts to do any of the aforesaid acts or things—

Shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

Whoever is convicted of any such crime, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, if the court in its discretion shall so order.

A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

CHAPTER 99.—RAPE

Sec.

2031. Special maritime and territorial jurisdiction.
2032. Carnal knowledge of female under 16.

§ 2031. SPECIAL MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, commits rape shall suffer death, or imprisonment for any term of years or for life.

§ 2032. CARNAL KNOWLEDGE OF FEMALE UNDER 16

Whoever, within the special maritime and territorial jurisdiction of the United States, carnally knows any female, not his wife, who has not attained the age of sixteen years, shall, for a first offense, be imprisoned not more than fifteen years, and for a subsequent offense, be imprisoned not more than thirty years.

CHAPTER 101.—RECORDS AND REPORTS

Sec.

2071. Concealment, removal, or mutilation generally.
2072. False crop reports.
2073. False entries and reports of moneys or securities.
2074. False weather reports.
2075. Officer failing to make returns or reports.
2076. Clerk of United States District Court.

§ 2071. CONCEALMENT, REMOVAL, OR MUTILATION GENERALLY

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States.

§ 2072. FALSE CROP REPORTS

Whoever, being an officer or employee of the United States or any of its agencies, whose duties require the compilation or report of statistics or information relating to the products of the soil, knowingly compiles for issuance, or issues, any false statistics or information as a report of the United States or any of its agencies, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2073. FALSE ENTRIES AND REPORTS OF MONEYS OR SECURITIES

Whoever, being an officer, clerk, agent, or other employee of the United States or any of its agencies, charged with the duty of keeping accounts or records of any kind, with intent to deceive, mislead, injure, or defraud, makes in any such account or record any false or fictitious entry or record of any matter relating to or connected with his duties; or

Whoever, being an officer, clerk, agent, or other employee of the United States or any of its agencies, charged with the duty of receiving, holding, or paying over moneys or securities to, for, or on behalf of the United States, or of receiving or holding in trust for any person any moneys or securities, with like intent, makes a false report of such moneys or securities—

Shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

§ 2074. FALSE WEATHER REPORTS

Whoever knowingly issues or publishes any counterfeit weather forecast or warning of weather conditions falsely representing such

forecast or warning to have been issued or published by the Weather Bureau, United States Signal Service, or other branch of the Government service, shall be fined not more than $500 or imprisoned not more than ninety days, or both.

§ 2075. OFFICER FAILING TO MAKE RETURNS OR REPORTS

Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any Act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such Act or regulation, shall be fined not more than $1,000.

§ 2076. CLERK OF UNITED STATES DISTRICT COURT

Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined not more than $1,000 or imprisoned not more than one year.

CHAPTER 103.—ROBBERY AND BURGLARY

Sec.

2111. Special maritime and territorial jurisdiction.
2112. Personal property of United States.
2113. Bank robbery and incidental crimes.
2114. Mail, money, or other property of United States.
2115. Post office.
2116. Railway or steamboat post office.
2117. Railroad car entered or seal broken.

§ 2111. SPECIAL MARITIME AND TERRITORIAL JURISDICTION

Whoever, within the special maritime and territorial jurisdiction of the United States, by force and violence, or by intimidation, takes from the person or presence of another anything of value, shall be imprisoned not more than fifteen years.

§ 2112. PERSONAL PROPERTY OF UNITED STATES

Whoever robs another of any kind or description of personal property belonging to the United States, shall be imprisoned not more than fifteen years.

§ 2113. BANK ROBBERY AND INCIDENTAL CRIMES

(a) Whoever, by force and violence, or by intimidation, takes, or attempts to take, from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank; or

Whoever enters or attempts to enter any bank, or any building used in whole or in part as a bank, with intent to commit in such bank or building, or part thereof, so used, any felony affecting such bank and in violation of any statute of the United States, or any larceny—

Shall be fined not more than $5,000 or imprisoned not more than twenty years, or both.

(b) Whoever takes and carries away, with intent to steal or purloin, any property or money or any other thing of value exceeding $100 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than $5,000 or imprisoned not more than ten years, or both; or

Whoever takes and carries away, with intent to steal or purloin, any property or money or any other thing of value not exceeding $100 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(c) Whoever receives, possesses, conceals, stores, barters, sells, or disposes of, any property or money or other thing of value knowing the same to have been taken from a bank in violation of subsection

(b) of this section shall be subject to the punishment provided by said subsection (b) for the taker.

(d) Whoever, in committing, or in attempting to commit, any offense defined in subsections (a) and (b) of this section, assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or device, shall be fined not more than $10,000 or imprisoned not more than twenty-five years, or both.

(e) Whoever, in committing any offense defined in this section, or in avoiding or attempting to avoid apprehension for the commission of such offense, or in freeing himself or attempting to free himself from arrest or confinement for such offense, kills any person, or forces any person to accompany him without the consent of such person, shall be imprisoned not less than ten years, or punished by death if the verdict of the jury shall so direct.

"Bank."

(f) As used in this section the term "bank" means any member bank of the Federal Reserve System, and any bank, banking association, trust company, savings bank, a Federal Savings and Loan Association, or other banking institution organized or operating under the laws of the United States and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

§ 2114. MAIL, MONEY OR OTHER PROPERTY OF UNITED STATES

Whoever assaults any person having lawful charge, control, or custody of any mail matter or of any money or other property of the United States, with intent to rob, steal, or purloin such mail matter, money, or other property of the United States, or robs any such person of mail matter, or of any money, or other property of the United States, shall, for the first offense, be imprisoned not more than ten years; and if in effecting or attempting to effect such robbery he wounds the person having custody of such mail, money, or other property of the United States, or puts his life in jeopardy by the use of a dangerous weapon, or for a subsequent offense, shall be imprisoned twenty-five years.

§ 2115. POST OFFICE

Whoever forcibly breaks into or attempts to break into any post office, or any building used in whole or in part as a post office, with intent to commit in such post office, or building or part thereof, so used, any larceny or other depredation, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 2116. RAILWAY OR STEAMBOAT POST OFFICE

Whoever, by violence, enters a post-office car, or any part of any car, steamboat, or vessel, assigned to the use of the mail service, or willfully or maliciously assaults or interferes with any postal clerk in the discharge of his duties in connection with such car, steamboat, vessel, or apartment thereof, shall be fined not more than $1,000 or imprisoned not more than three years, or both.

§ 2117. RAILROAD CAR ENTERED OR SEAL BROKEN

Whoever breaks the seal or lock of any railroad car, vessel, aircraft, motortruck, wagon or other vehicle, containing interstate or foreign shipments of freight or express, or enters any such vehicle with intent in either case to commit larceny therein, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

CHAPTER 105.—SABOTAGE

Sec.

2151. Definitions.
2152. Fortifications, harbor defenses, or defensive sea areas.
2153. Destruction of war material.
2154 Production of defective war material.
2155. Destruction of national-defense materials.
2156. Production of defective national-defense material.

§ 2151. DEFINITIONS

As used in this chapter:

"War material." The words "war material" include arms, armament, ammunition, livestock, forage, forest products and standing timber, stores of clothing, food, foodstuffs, fuel, supplies, munitions, and all articles, parts or ingredients, intended for, adapted to, or suitable for the use of the United States or any associate nation, in connection with the conduct of war.

"War premises." The words "war premises" include all buildings, grounds, mines, or other places wherein such war material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation.

"War utilities." The words "war utilities" include all railroads, railways, electric lines, roads of whatever description, any railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, or aircraft, or any other means of transportation whatsoever, whereon or whereby such war material or any troops of the United States, or of any associate nation, are being or may be transported either within the limits of the United States or upon the high seas; and all dams, reservoirs, aqueducts, water and gas mains and pipes, structures and buildings, whereby or in connection with which water or gas is being furnished, or may be furnished, to any war premises or to the military or naval forces of the United States, or any associate nation, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply water, light, heat, power, or facilities of communication to any war premises or to the military or naval forces of the United States, or any associate nation.

"Associate nation." The words "associate nation" mean any nation at war with any nation with which the United States is at war.

"National-defense material." The words "national-defense material" include arms, armament, ammunition, livestock, stores of clothing, food, foodstuffs, fuel, supplies, munitions, and all other articles of whatever description and any part or ingredient thereof, intended for the use of the United States in connection with the national defense or for use in or in connection with the producing, manufacturing, repairing, storing, mining, extracting, distributing, loading, unloading, or transporting of any of the materials or other articles hereinbefore mentioned or any part or ingredient thereof.

"National-defense premises." The words "national-defense premises" include all buildings, grounds, mines, or other places wherein such national-defense material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States.

"National-defense utilities." The words "national-defense utilities" include all railroads, railways, electric lines, roads of whatever description, railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, or aircraft, or any other means of transportation whatsoever, whereon or whereby such national-defense material, or any troops of the United States, are being or may be transported either within the limits of the United States or upon the high seas; and all dams, reservoirs, aqueducts, water

and gas mains and pipes, structures, and buildings, whereby or in connection with which water or gas may be furnished to any national-defense premises or to the military or naval forces of the United States, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply water, light, heat, power, or facilities of communication to any national-defense premises or to the military or naval forces of the United States.

§ 2152. FORTIFICATIONS, HARBOR DEFENSES, OR DEFENSIVE SEA AREAS

Whoever willfully trespasses upon, injures, or destroys any of the works or property or material of any submarine mine or torpedo or fortification or harbor-defense system owned or constructed or in process of construction by the United States; or

Whoever willfully interferes with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system; or

Whoever knowingly, willfully, or wantonly violates any duly authorized and promulgated order or regulation of the President governing persons or vessels within the limits of defensive sea areas, which the President, for purposes of national defense, may from time to time establish by executive order—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2153. DESTRUCTION OF WAR MATERIAL

(a) Whoever, when the United States is at war, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, willfully injures or destroys, or attempts to so injure or destroy, any war material, war premises, or war utilities, shall be fined not more than $10,000 or imprisoned not more than thirty years, or both.

(b) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

§ 2154. PRODUCTION OF DEFECTIVE WAR MATERIAL

(a) Whoever, when the United States is at war, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, willfully makes or causes to be made in a defective manner, or attempts to make or cause to be made in a defective manner any war material, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, shall be fined not more than $10,000 or imprisoned not more than thirty years, or both.

(b) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in subsection (a) of this section.

§ 2155. DESTRUCTION OF NATIONAL-DEFENSE MATERIALS

Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, willfully injures or destroys, or attempts to so injure or destroy, any national-defense material, national-defense premises, or national-defense utilities, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 2156. PRODUCTION OF DEFECTIVE NATIONAL-DEFENSE MATERIAL

Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, willfully makes or attempts to make in a defective manner, any national-defense material, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such national-defense material, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

CHAPTER 107.—SEAMEN AND STOWAWAYS

Sec.
2191. Cruelty to seamen.
2192. Incitation of seamen to revolt or mutiny.
2193. Revolt or mutiny of seamen.
2194. Shanghaiing sailors.
2195. Abandonment of sailors.
2196. Drunkenness or neglect of duty by seamen.
2197. Misuse of Federal certificate, license or document.
2198. Seduction of female passenger.
2199. Stowaways on vessels or aircraft.

§ 2191. CRUELTY TO SEAMEN

Whoever, being the master or officer of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, flogs, beats, wounds, or without justifiable cause, imprisons any of the crew of such vessel, or withholds from them suitable food and nourishment, or inflicts upon them any corporal or other cruel and unusual punishment, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 2192. INCITATION OF SEAMEN TO REVOLT OR MUTINY

Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, endeavors to make a revolt or mutiny on board such vessel, or combines, conspires, or confederates with any other person on board to make such revolt or mutiny, or solicits, incites, or stirs up any other of the crew to disobey or resist the lawful orders of the master or other officer of such vessel, or to refuse or neglect his proper duty on board thereof, or to betray his proper trust, or assembles with others in a tumultuous and mutinous manner, or makes a riot on board thereof, or unlawfully confines the master or other commanding officer thereof, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 2193. REVOLT OR MUTINY OF SEAMEN

Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, unlawfully and with force, or by fraud, or intimidation, usurps the command of such vessel from the master or other lawful officer in command thereof, or deprives him of authority and command on board, or resists or prevents him in the free and lawful exercise thereof, or transfers such authority and command to another not lawfully entitled thereto, is guilty of a revolt and mutiny, and shall be fined not more than $2,000 or imprisoned not more than ten years, or both.

§ 2194. SHANGHAIING SAILORS

Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, procures or induces, or attempts to procure or induce, another, by force or threats or by

representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in anywise enter into any agreement to go on board of any such vessel to perform service or labor thereon; or

Whoever knowingly detains on board of any such vessel any person so procured or induced to go on board, or to enter into any agreement to go on board, by any means herein defined—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 2195. ABANDONMENT OF SAILORS

Whoever, being master or commander of a vessel of the United States, while abroad, maliciously and without justifiable cause forces any officer or mariner of such vessel on shore, in order to leave him behind in any foreign port or place, or refuses to bring home again all such officers and mariners of such vessel whom he carried out with him, as are in a condition to return and willing to return, when he is ready to proceed on his homeward voyage, shall be fined not more than $500 or imprisoned not more than six months, or both.

§ 2196. DRUNKENNESS OR NEGLECT OF DUTY BY SEAMEN

Whoever, being a master, officer, radio operator, seaman, apprentice or other person employed on any merchant vessel, by willful breach of duty, or by reason of drunkenness, does any act tending to the immediate loss or destruction of, or serious damage to, such vessel, or tending immediately to endanger the life or limb of any person belonging to or on board of such vessel; or, by willful breach of duty or by neglect of duty or by reason of drunkenness, refuses or omits to do any lawful act proper and requisite to be done by him for preserving such vessel from immediate loss, destruction, or serious damage, or for preserving any person belonging to or on board of such ship from immediate danger to life or limb, shall be imprisoned not more than one year.

§ 2197. MISUSE OF FEDERAL CERTIFICATE, LICENSE OR DOCUMENT

Whoever, not being lawfully entitled thereto, uses, exhibits, or attempts to use or exhibit, or, with intent unlawfully to use the same, receives or possesses any certificate, license, or document issued to vessels, or officers or seamen by any officer or employee of the United States authorized by law to issue the same; or

Whoever, without authority, alters or attempts to alter any such certificate, license, or document by addition, interpolation, deletion, or erasure; or

Whoever forges, counterfeits, or steals, or attempts to forge, counterfeit, or steal, any such certificate, license, or document; or unlawfully possesses or knowingly uses any such altered, changed, forged, counterfeit, or stolen certificate, license, or document; or

Whoever, without authority, prints or manufactures any blank form of such certificate, license, or document, or

Whoever possesses without lawful excuse, and with intent unlawfully to use the same, any blank form of such certificate, license, or document; or

Whoever, in any manner, transfers or negotiates such transfer of, any blank form of such certificate, license, or document, or any such altered, forged, counterfeit, or stolen certificate, license, or document, or any such certificate, license, or document to which the party transferring or receiving the same is not lawfully entitled—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

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§ 2198. SEDUCTION OF FEMALE PASSENGER

Whoever, being a master, officer, seaman, or other person employed on board of any American vessel, during the voyage, under promise of marriage, or by threats, or the exercise of authority, or solicitation, or the making of gifts or presents, seduces and has illicit connection with any female passenger, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Subsequent intermarriage of the parties may be pleaded in bar of conviction and no conviction shall be had on the testimony of the female seduced without other evidence.

§ 2199. STOWAWAYS ON VESSELS OR AIRCRAFT

Whoever, without the consent of the owner, charterer, master, or person in command of any vessel, or aircraft, with intent to obtain transportation, boards, enters or secretes himself aboard such vessel or aircraft and is thereon at the time of departure of said vessel or aircraft from a port, harbor, wharf, airport or other place within the jurisdiction of the United States; or

Whoever, with like intent, having boarded, entered or secreted himself aboard a vessel or aircraft at any place within or without the jurisdiction of the United States, remains aboard after the vessel or aircraft has left such place and is thereon at any place within the jurisidiction of the United States; or

Whoever, with intent to obtain a ride or transportation, boards or enters any aircraft owned or operated by the United States without the consent of the person in command or other duly authorized officer or agent—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"Aircraft." The word "aircraft" as used in this section includes any contrivance for navigation or flight in the air.

CHAPTER 109.—SEARCHES AND SEIZURES

Sec.

2231. Assault or resistance.
2232. Destruction or removal of property to prevent seizure.
2233. Rescue of seized property.
2234. Authority exceeded in executing warrant.
2235. Search warrant procured maliciously.
2236. Searches without warrant.

§ 2231. ASSAULT OR RESISTANCE

(a) Whoever forcibly assaults, resists, opposes, prevents, impedes, intimidates, or interferes with any person authorized to serve or execute search warrants or to make searches and seizures while engaged in the performance of his duties with regard thereto or on account of the performance of such duties, shall be fined not more than $5,000 or imprisoned not more than three years, or both; and—

(b) Whoever, in committing any act in violation of this section, uses any deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 2232. DESTRUCTION OR REMOVAL OF PROPERTY TO PREVENT SEIZURE

Whoever, before, during, or after seizure of any property by any person authorized to make searches and seizures, in order to prevent the seizure or securing of any goods, wares, or merchandise by such person, staves, breaks, throws overboard, destroys, or removes the same, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

§ 2233. RESCUE OF SEIZED PROPERTY

Whoever forcibly rescues, dispossesses, or attempts to rescue or dispossess any property, articles, or objects after the same shall have been

taken, detained, or seized by any officer or other person under the authority of any revenue law of the United States, or by any person authorized to make searches and seizures, shall be fined not more than $2,000 or imprisoned not more than two years, or both.

§ 2234. AUTHORITY EXCEEDED IN EXECUTING WARRANT

Whoever, in executing a search warrant, willfully exceeds his authority or exercises it with unnecessary severity, shall be fined not more than $1,000 or imprisoned not more than one year.

§ 2235. SEARCH WARRANT PROCURED MALICIOUSLY

Whoever maliciously and without probable cause procures a search warrant to be issued and executed, shall be fined not more than $1,000 or imprisoned not more than one year.

§ 2236. SEARCHES WITHOUT WARRANT

Whoever, being an officer, agent, or employee of the United States or any department or agency thereof, engaged in the enforcement of any law of the United States, searches any private dwelling used and occupied as such dwelling without a warrant directing such search, or maliciously and without reasonable cause searches any other building or property without a search warrant, shall be fined for a first offense not more than $1,000; and, for a subsequent offense, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

This section shall not apply to any person—

(a) serving a warrant of arrest; or

(b) arresting or attempting to arrest a person committing or attempting to commit an offense in his presence, or who has committed or is suspected on reasonable grounds of having committed a felony; or

(c) making a search at the request or invitation or with the consent of the occupant of the premises.

CHAPTER 111.—SHIPPING

Sec.

2271. Conspiracy to destroy vessel.
2272. Destruction of vessel by owner.
2273. Destruction of vessel by nonowner.
2274. Destruction or misuse of vessel by person in charge.
2275. Firing or tampering with vessel.
2276. Breaking and entering vessel.
2277. Explosives or dangerous weapons aboard vessels.
2278. Explosives on vessels carrying steerage passengers.
2279. Boarding vessels before arrival.

§ 2271. CONSPIRACY TO DESTROY VESSELS

Whoever, on the high seas, or within the United States, willfully and corruptly conspires, combines, and confederates with any other person, such other person being either within or without the United States, to cast away or otherwise destroy any vessel, with intent to injure any person that may have underwritten or may thereafter underwrite any policy of insurance thereon or on goods on board thereof, or with intent to injure any person that has lent or advanced, or may lend or advance, any money on such vessel on bottomry or respondentia; or

Whoever, within the United States, builds, or fits out any vessel to be cast away or destroyed, with like intent—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 2272. DESTRUCTION OF VESSEL BY OWNER

Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully

and corruptly casts away or otherwise destroys any vessel of which he is owner, in whole or in part, with intent to injure any person that may underwrite any policy of insurance thereon, or any merchant that may have goods thereon, or any other owner of such vessel, shall be imprisoned for life or for any term of years.

§ 2273. DESTRUCTION OF VESSEL BY NONOWNER

Whoever, not being an owner, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully and corruptly casts away or otherwise destroys any vessel of the United States to which he belongs, or willfully attempts the destruction thereof, shall be imprisoned not more than ten years.

§ 2274. DESTRUCTION OR MISUSE OF VESSEL BY PERSON IN CHARGE

Whoever, being the owner, master or person in charge or command of any private vessel, foreign or domestic, or a member of the crew or other person, within the territorial waters of the United States, willfully causes or permits the destruction or injury of such vessel or knowingly permits said vessel to be used as a place of resort for any person conspiring with another or preparing to commit any offense against the United States, or any offense in violation of the treaties of the United States or of the obligations of the United States under the law of nations, or to defraud the United States; or knowingly permits such vessels to be used in violation of the rights and obligations of the United States under the law of nations, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

In case such vessels are so used, with the knowledge of the owner or master or other person in charge or command thereof, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws.

§ 2275. FIRING OR TAMPERING WITH VESSELS

Whoever sets fire to any vessel of foreign registry, or any vessel of American registry entitled to engage in commerce with foreign nations, or to any vessel of the United States, or to the cargo of the same, or tampers with the motive power or instrumentalities of navigation of such vessel, or places bombs or explosives in or upon such vessel, or does any other act to or upon such vessel while within the jurisdiction of the United States, or, if such vessel is of American registry, while she is on the high sea, with intent to injure or endanger the safety of the vessel or of her cargo, or of persons on board, whether the injury or danger is so intended to take place within the jurisdiction of the United States, or after the vessel shall have departed therefrom and whoever attempts to do so shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

§ 2276. BREAKING AND ENTERING VESSEL

Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular State, breaks or enters any vessel with intent to commit any felony, or maliciously cuts, spoils, or destroys any cordage, cable, buoys, buoy rope, head fast, or other fast, fixed to the anchor or moorings belonging to any vessel, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 2277. EXPLOSIVES OR DANGEROUS WEAPONS ABOARD VESSELS

(a) Whoever brings, carries, or possesses any dangerous weapon, instrument, or device, or any dynamite, nitroglycerin, or other

explosive article or compound on board of any vessel registered, enrolled, or licensed under the laws of the United States, or any vessel purchased, requisitioned, chartered, or taken over by the United States pursuant to the provisions of Act June 6, 1941, ch. 174, 55 Stat. 242, as amended, without previously obtaining the permission of the owner or the master of such vessel; or

50 U. S. C. app. §§ 1271-1275; Supp. I, § 1271 note.

Whoever brings, carries, or possesses any such weapon or explosive on board of any vessel in the possession and under the control of the United States or which has been seized and forfeited by the United States or upon which a guard has been placed by the United States pursuant to the provisions of section 191 of Title 50, without previously obtaining the permission of the captain of the port in which such vessel is located, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) This section shall not apply to the personnel of the Armed Forces of the United States or to officers or employees of the United States or of a State or of a political subdivision thereof, while acting in the performance of their duties, who are authorized by law or by rules or regulations to own or possess any such weapon or explosive.

§ 2278. EXPLOSIVES ON VESSELS CARRYING STEERAGE PASSENGERS

Whoever, being the master of a steamship or other vessel referred to in section 151 of Title 46, except as otherwise expressly provided by law, takes, carries, or has on board of any such vessel any nitroglycerin, dynamite, or any other explosive article or compound, or any vitriol or like acids, or gunpowder, except for the ship's use, or any article or number of articles, whether as a cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

§ 2279. BOARDING VESSELS BEFORE ARRIVAL

Whoever, not being in the United States service, and not being duly authorized by law for the purpose, goes on board any vessel about to arrive at the place of her destination, before her actual arrival, and before she has been completely moored, shall be fined not more than $200 or imprisoned not more than six months, or both.

The master of such vessel may take any such person into custody, and deliver him up forthwith to any law enforcement officer, to be by him taken before any committing magistrate, to be dealt with according to law.

CHAPTER 113.—STOLEN PROPERTY

Sec.

2311. Definitions.
2312. Transportation of stolen vehicles.
2313. Sale or receipt of stolen vehicles.
2314. Transportation of stolen goods, securities, monies, or articles used in counterfeiting.
2315. Sale or receipt of stolen goods, securities, or monies.
2316. Transportation of cattle.
2317. Sale or receipt of cattle.

§ 2311. DEFINITIONS

As used in this chapter:

"Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or for flight in the air; "Aircraft."

"Cattle" means one or more bulls, steers, oxen, cows, heifers, or calves, or the carcass or carcasses thereof; "Cattle."

"Money" means the legal tender of the United States or of any foreign country, or any counterfeit thereof; "Money."

"Motor vehicle." "Motor vehicle" includes an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land but not on rails;

"Securities." "Securities" includes any note, stock certificate, bond, debenture, check, draft, warrant, traveler's check, letter of credit, warehouse receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate; certificate of interest in property, tangible or intangible; instrument or document or writing evidencing ownership of goods, wares, and merchandise, or transferring or assigning any right, title, or interest in or to goods, wares, and merchandise; or, in general, any instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, warrant, or right to subscribe to or purchase any of the foregoing, or any forged, counterfeited, or spurious representation of any of the foregoing;

"Value." "Value" means the face, par, or market value, whichever is the greatest, and the aggregate value of all goods, wares, and merchandise, securities, and money referred to in a single indictment shall constitute the value thereof.

§ 2312. TRANSPORTATION OF STOLEN VEHICLES

Whoever transports in interstate or foreign commerce a motor vehicle or aircraft, knowing the same to have been stolen, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2313. SALE OR RECEIPT OF STOLEN VEHICLES

Whoever receives, conceals, stores, barters, sells, or disposes of any motor vehicle or aircraft, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing the same to have been stolen, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2314. TRANSPORTATION OF STOLEN GOODS, SECURITIES, MONIES, OR ARTICLES USED IN COUNTERFEITING

Whoever knowingly transports in interstate or foreign commerce any goods, wares, or merchandise, securities, or money, of the value of $5,000 or more theretofore stolen, converted, or taken by fraud; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities, knowing the same to have been falsely made, forged, altered, or counterfeited; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce, any tool, implement, or thing used or fitted to be used in falsely making, forging, altering, or counterfeiting any security, or any part thereof—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

This section shall not apply to any falsely made, forged, altered, counterfeited or spurious representation of an obligation or other security of the United States, or of an obligation, bond, certificate, security, treasury note, bill, promise to pay or bank note issued by any foreign government or by a bank or corporation of any foreign country.

§ 2315. SALE OR RECEIPT OF STOLEN GOODS, SECURITIES, OR MONIES

Whoever receives, conceals, stores, barters, sells, or disposes of any goods, wares, or merchandise, securities, or money of the value of $5,000 or more, or pledges or accepts as security for a loan any goods,

wares, or merchandise, or securities, of the value of $500 or more, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been stolen, unlawfully converted, or taken; or

Whoever receives, conceals, stores, barters, sells, or disposes of any falsely made, forged, altered, or counterfeited securities, or pledges or accepts as security for a loan any falsely made, forged, altered, or counterfeited securities, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been so falsely made, forged, altered, or counterfeited; or

Whoever receives in interstate or foreign commerce, or conceals, stores, barters, sells, or disposes of, any tool, implement, or thing used or intended to be used in falsely making, forging, altering, or counterfeiting any security, or any part thereof, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing that the same is fitted to be used, or has been used, in falsely making, forging, altering, or counterfeiting any security, or any part thereof—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

This section shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of an obligation or other security of the United States or of an obligation, bond, certificate, security, treasury note, bill, promise to pay, or bank note, issued by any foreign government or by a bank or corporation of any foreign country.

§ 2316. TRANSPORTATION OF CATTLE

Whoever transports in interstate or foreign commerce any cattle, knowing the same to have been stolen, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2317. SALE OR RECEIPT OF CATTLE

Whoever receives, conceals, stores, barters, buys, sells, or disposes of any cattle, moving in or constituting a part of interstate or foreign commerce, knowing the same to have been stolen, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

CHAPTER 115.—TREASON, SEDITION, AND SUBVERSIVE ACTIVITIES

Sec.

2381. Treason.
2382. Misprision of treason.
2383. Rebellion or insurrection.
2384. Seditious conspiracy.
2385. Advocating overthrow of Government.
2386. Registration of certain organizations.
2387. Activities affecting armed forces generally.
2388. Activities affecting armed forces during war.
2389. Recruiting for service against United States.
2390. Enlistment to serve against United States.

§ 2381. TREASON

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined not less than $10,000; and shall be incapable of holding any office under the United States.

§ 2382. MISPRISION OF TREASON

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision

of treason and shall be fined not more than $1,000 or imprisoned not more than seven years, or both.

§ 2383. REBELLION OR INSURRECTION

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

§ 2384. SEDITIOUS CONSPIRACY

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than $5,000 or imprisoned not more than six years, or both.

§ 2385. ADVOCATING OVERTHROW OF GOVERNMENT

Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

§ 2386. REGISTRATION OF CERTAIN ORGANIZATIONS

(A) For the purposes of this section:

"Attorney General." "Attorney General" means the Attorney General of the United States;

"Organization." "Organization" means any group, club, league, society, committee, association, political party, or combination of individuals, whether incorporated or otherwise, but such term shall not include any corporation, association, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes;

"Political activity." "Political activity" means any activity the purpose or aim of which, or one of the purposes or aims of which, is the control by force or overthrow of the Government of the United States or a political subdivision thereof, or any State or political subdivision thereof;

"Civilian military activity." An organization is engaged in "civilian military activity" if:

(1) it gives instruction to, or prescribes instruction for, its members in the use of firearms or other weapons or any substitute therefor, or military or naval science; or

(2) it receives from any other organization or from any individual instruction in military or naval science; or

(3) it engages in any military or naval maneuvers or activities; or

(4) it engages, either with or without arms, in drills or parades of a military or naval character; or

(5) it engages in any other form of organized activity which in the opinion of the Attorney General constitutes preparation for military action;

"Subject to foreign control."

An organization is "subject to foreign control" if:

(a) it solicits or accepts financial contributions, loans, or support of any kind, directly or indirectly, from, or is affiliated directly or indirectly with, a foreign government or a political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or political subdivision thereof, or a political party in a foreign country, or an international political organization; or

(b) its policies, or any of them, are determined by or at the suggestion of, or in collaboration with, a foreign government or political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or a political subdivision thereof, or a political party in a foreign country, or an international political organization.

Organizations required to register.

(B) (1) The following organizations shall be required to register with the Attorney General:

Every organization subject to foreign control which engages in political activity;

Every organization which engages both in civilian military activity and in political activity;

Every organization subject to foreign control which engages in civilian military activity; and

Every organization, the purpose or aim of which, or one of the purposes or aims of which, is the establishment, control, conduct, seizure, or overthrow of a government or subdivision thereof by the use of force, violence, military measures, or threats of any one or more of the foregoing.

Every such organizaton shall register by filing with the Attorney General, on such forms and in such detail as the Attorney General may by rules and regulations prescribe, a registration statement containing the information and documents prescribed in subsection (B) (3) and shall within thirty days after the expiration of each period of six months succeeding the filing of such registration statement, file with the Attorney General, on such forms and in such detail as the Attorney General may by rules and regulations prescribe, a supplemental statement containing such information and documents as may be necessary to make the information and documents previously filed under this section accurate and current with respect to such preceding six months' period. Every statement required to be filed by this section shall be subscribed, under oath, by all of the officers of the organization.

Organizations not required to register.

(2) This section shall not require registration or the filing of any statement with the Attorney General by:

(a) The armed forces of the United States; or

(b) The organized militia or National Guard of any State, Territory, District, or possession of the United States; or

(c) Any law-enforcement agency of the United States or of any Territory, District or possession thereof, or of any State or political subdivision of a State, or of any agency or instrumentality of one or more States; or

(d) Any duly established diplomatic mission or consular office of a foreign government which is so recognized by the Department of State; or

(e) Any nationally recognized organization of persons who are veterans of the armed forces of the United States, or affiliates of such organizations.

Information and documents required.

(3) Every registration statement required to be filed by any organization shall contain the following information and documents:

(a) The name and post-office address of the organization in the United States, and the names and addresses of all branches, chapters, and affiliates of such organization;

(b) The name, address, and nationality of each officer, and of each person who performs the functions of an officer, of the organization, and of each branch, chapter, and affiliate of the organization;

(c) The qualifications for membership in the organization;

(d) The existing and proposed aims and purposes of the organization, and all the means by which these aims or purposes are being attained or are to be attained;

(e) The address or addresses of meeting places of the organization, and of each branch, chapter, or affiliate of the organization, and the times of meetings;

(f) The name and address of each person who has contributed any money, dues, property, or other thing of value to the organization or to any branch, chapter, or affiliate of the organization;

(g) A detailed statement of the assets of the organization, and of each branch, chapter, and affiliate of the organization, the manner in which such assets were acquired, and a detailed statement of the liabilities and income of the organization and of each branch, chapter, and affiliate of the organization;

(h) A detailed description of the activities of the organization, and of each chapter, branch, and affiliate of the organization;

(i) A description of the uniforms, badges, insignia, or other means of identification prescribed by the organization, and worn or carried by its officers or members, or any of such officers or members;

(j) A copy of each book, pamphlet, leaflet, or other publication or item of written, printed, or graphic matter issued or distributed directly or indirectly by the organization, or by any chapter, branch, or affiliate of the organization, or by any of the members of the organization under its authority or within its knowledge, together with the name of its author or authors and the name and address of the publisher;

(k) A description of all firearms or other weapons owned by the organization, or by any chapter, branch, or affiliate of the organization, identified by the manufacturer's number thereon;

(l) In case the organization is subject to foreign control, the manner in which it is so subject;

(m) A copy of the charter, articles of association, constitution, bylaws, rules, regulations, agreements, resolutions, and all other instruments relating to the organization, powers, and purposes of the organization and to the powers of the officers of the organization and of each chapter, branch, and affiliate of the organization; and

(n) Such other information and documents pertinent to the purposes of this section as the Attorney General may from time to time require.

All statements filed under this section shall be public records and open to public examination and inspection at all reasonable hours under such rules and regulations as the Attorney General may prescribe.

Rules and regulations.

(C) The Attorney General is authorized at any time to make, amend, and rescind such rules and regulations as may be necessary

to carry out this section, including rules and regulations governing the statements required to be filed.

(D) Whoever violates any of the provisions of this section shall be fined not more than $10,000 or imprisoned not more than five years, or both. Penalties.

Whoever in a statement filed pursuant to this section willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made not misleading, shall be fined not more than $2,000 or imprisoned not more than five years, or both.

§ 2387. ACTIVITIES AFFECTING ARMED FORCES GENERALLY

(a) Whoever, with intent to interfere with, impair, or influence the loyalty, morale, or discipline of the military or naval forces of the United States:

(1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

(2) distributes or attempts to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

(b) For the purposes of this section, the term "military or naval forces of the United States" includes the Army of the United States, the Navy, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel. "Military or naval forces of the United States."

§ 2388. ACTIVITIES AFFECTING ARMED FORCES DURING WAR

(a) Whoever, when the United States is at war, willfully makes or conveys false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies; or

Whoever, when the United States is at war, willfully causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or willfully obstructs the recruiting or enlistment service of the United States, to the injury of the service or the United States, or attempts to do so—

Shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

(b) If two or more persons conspire to violate subsection (a) of this section and one or more such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as provided in said subsection (a).

(c) Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

(d) This section shall apply within the admiralty and maritime jurisdiction of the United States, and on the high seas, as well as within the United States.

§ 2389. RECRUITING FOR SERVICE AGAINST UNITED STATES

Whoever recruits soldiers or sailors within the United States, or

in any place subject to the jurisdiction thereof, to engage in armed hostility against the same; or

Whoever opens within the United States, or in any place subject to the jurisdiction thereof, a recruiting station for the enlistment of such soldiers or sailors to serve in any manner in armed hostility against the United States—

Shall be fined not more than $1,000 or imprisoned not more than five years, or both.

§ 2390 ENLISTMENT TO SERVE AGAINST UNITED STATES

Whoever enlists or is engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined $100 or imprisoned not more than three years, or both.

CHAPTER 117.—WHITE SLAVE TRAFFIC

Sec.
2421. Transportation generally.
2422. Coercion or enticement of female.
2423. Coercion or enticement of minor female.
2424. Filing factual statement about alien female.

§ 2421. TRANSPORTATION GENERALLY

Whoever knowingly transports in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or

Whoever knowingly procures or obtains any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induct, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in the District of Columbia or any Territory or Possession of the United States—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2422. COERCION OR ENTICEMENT OF FEMALE

Whoever knowingly persuades, induces, entices, or coerces any woman or girl to go from one place to another in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose on the part of such person that such woman or girl shall engage in the practice of prostitution or debauchery, or any other immoral practice, whether with or without her consent, and thereby knowingly causes such woman or girl to go and to be carried or transported as a passenger upon the line or route of any common carrier or carriers in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

§ 2423. COERCION OR ENTICEMENT OF MINOR FEMALE

Whoever knowingly persuades, induces, entices, or coerces any woman or girl who has not attained her eighteenth birthday, to go

from one place to another by common carrier, in interstate commerce or within the District of Columbia or any Territory or Possession of the United States, with intent that she be induced or coerced to engage in prostitution, debauchery or other immoral practice, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

§ 2424. FILING FACTUAL STATEMENT ABOUT ALIEN FEMALE

(a) Whoever keeps, maintains, controls, supports, or harbors in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she has entered the United States from any country, party to the arrangement adopted July 25, 1902, for the suppression of the white-slave traffic, shall file with the Commissioner of Immigration and Naturalization a statement in writing setting forth the name of such alien woman or girl, the place at which she is kept, and all facts as to the date of her entry into the United States, the port through which she entered, her age, nationality, and parentage, and concerning her procuration to come to this country within the knowledge of such person; and

Whoever fails within thirty days after commencing to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she has entered the United States from any country, party to the said arrangement for the suppression of the white-slave traffic, to file such statement concerning such alien woman or girl with the Commissioner of Immigration and Naturalization; or

Whoever knowingly and willfully states falsely or fails to disclose in such statement any fact within his knowledge or belief with reference to the age, nationality, or parentage of any such alien woman or girl, or concerning her procuration to come to this country—

Shall be fined not more than $2,000 or imprisoned not more than two years, or both.

Presumption of failure to file statement.

(b) In any prosecution brought under this section, if it appears that any such statement required is not on file in the office of the Commissioner of Immigration and Naturalization, the person whose duty it is to file such statement shall be presumed to have failed to file said statement, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by him, or the information therein contained, might tend to criminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, matter, or thing, concerning which he may truthfully report in such statement.

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Whoever is indicted for treason or other capital crime shall be allowed to make his full defense by counsel learned in the law; and the court before which he is tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial, as is usually granted to compel witnesses to appear on behalf of the prosecution.

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For any offense against the United States, the offender may, by any justice or judge of the United States, or by any United States commissioner, or by any chancellor, judge of a supreme or superior court, chief or first judge of common pleas, mayor of a city, justice of the peace, or other magistrate, of any state where the offender may be found, and at the expense of the United States, be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States as by law has cognizance of the offense. Copies of the process shall be returned as speedily as may be into the office of the clerk of such court, together with the recognizances of the witnesses for their appearances to testify in the case.

A United States judge or commissioner shall proceed under this section according to rules promulgated by the Supreme Court of the United States. Any state judge or magistrate acting hereunder may proceed according to the usual mode of procedure of his state but his acts and orders shall have no effect beyond determining to hold the prisoner for trial or to discharge him from arrest.

§ 3042. EXTRATERRITORIAL JURISDICTION

Section 3041 of this title shall apply in any country where the United States exercises extraterritorial jurisdiction for the arrest and removal

Supra.

therefrom to the United States of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any offense against the United States, and shall also apply throughout the United States for the arrest and removal therefrom to the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction, of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any offense against the United States in any country where it exercises extraterritorial jurisdiction.

Such fugitive first mentioned may, by any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction and agreeably to the usual mode of process against offenders subject to such jurisdiction, be arrested and imprisoned or admitted to bail, as the case may be, pending the issuance of a warrant for his removal, which warrant the principal officer or representative of the United States vested with judicial authority in the country where the fugitive shall be found shall seasonably issue, and the United States marshal or corresponding officer shall execute.

Such marshal or other officer, or the deputies of such marshal or officer, when engaged in executing such warrant without the jurisdiction of the court to which they are attached, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safekeeping and the execution of the warrant.

§ 3043. SECURITY OF THE PEACE AND GOOD BEHAVIOR

The justices or judges of the United States, the United States commissioners, and the judges and other magistrates of the several States, who are or may be authorized by law to make arrests for offenses against the United States, shall have the like authority to hold to security of the peace and for good behavior, in cases arising under the Constitution and laws of the United States, as may be lawfully exercised by any judge or justice of the peace of the respective States, in cases cognizable before them.

§ 3044. COMPLAINT—(RULE)

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Contents of complaint; oath, Rule 3.

§ 3045. INTERNAL REVENUE VIOLATIONS

Warrants of arrest for violations of internal revenue laws may be issued by United States commissioners upon the complaint of a United States attorney, assistant United States attorney, collector, or deputy collector of internal revenue or revenue agent, or private citizen; but no such warrant of arrest shall be issued upon the complaint of a private citizen unless first approved in writing by a United States attorney.

§ 3046. WARRANT OR SUMMONS—(RULE)

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§ 3047. MULTIPLE WARRANTS UNNECESSARY

When two or more charges are made, or two or more indictments are found against any person, only one writ or warrant shall be necessary to commit him for trial. It shall be sufficient to state in the writ the name or general character of the offenses, or to refer to them only in general terms.

§ 3048. COMMITMENT TO ANOTHER DISTRICT; REMOVAL—(RULE)

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Arrest in nearby or distant districts; informative statement by judge or commissioner; hearing and removal; warrant; Rule 40.

§ 3049. WARRANT FOR REMOVAL

Only one writ or warrant is necessary to remove a prisoner from one district to another. One copy thereof may be delivered to the sheriff or jailer from whose custody the prisoner is taken, and another to the sheriff or jailer to whose custody he is committed, and the original writ, with the marshal's return thereon, shall be returned to the clerk of the district to which he is removed.

§ 3050. BUREAU OF PRISONS EMPLOYEES' POWERS

An officer or employee of the Bureau of Prisons of the Department of Justice may make arrests without warrant for violations of any of the provisions of sections 751, 752, 1791, or 1792 of this title, if he has reasonable grounds to believe that the arrested person is guilty of such offense, and if there is likelihood of his escaping before a warrant can be obtained for his arrest. If the arrested person is a fugitive from custody, he shall be returned to custody. Officers and employees of the said Bureau of Prisons may carry firearms under such rules and regulations as the Attorney General may prescribe.

Ante, pp. 734, 735, 786.

§ 3051. EXTRADITION AGENT'S POWERS

Any appointed agent to receive, in behalf of the United States, the delivery, by a foreign government, of any person accused of crime committed within the jurisdiction of the United States, and to convey him to the place of his trial, shall have all the powers of a marshal of the United States, in the several districts through which it may be necessary for him to pass with such prisoner, so far as such power is requisite for the prisoner's safekeeping.

§ 3052. POWERS OF FEDERAL BUREAU OF INVESTIGATION

The Director, Assistant Directors, inspectors, and agents of the Federal Bureau of Investigation of the Department of Justice may carry firearms, serve warrants and subpoenas issued under the authority of the United States and make arrests without warrant for felonies cognizable under the laws of the United States, where the person making the arrest has reasonable grounds to believe that the person arrested is guilty of such felony and there is a likelihood of his escaping before a warrant can be obtained for his arrest.

§ 3053. POWERS OF MARSHALS AND DEPUTIES

United States marshals and their deputies may carry firearms and may make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

§ 3054. OFFICER'S POWERS INVOLVING ANIMALS AND BIRDS

Any employee authorized by the Secretary of the Interior to enforce sections 43 and 44 of this title, and any officer of the customs, may arrest any person violating said sections in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections.

Ante, p. 687.

§ 3055. OFFICERS' POWERS TO SUPPRESS INDIAN LIQUOR TRAFFIC

The chief special officer for the suppression of the liquor traffic among Indians and duly authorized officers working under his supervision whose appointments are made or affirmed by the Commissioner

of Indian Affairs or the Secretary of the Interior may execute all warrants of arrest and other lawful precepts issued under the authority of the United States and in the execution of his duty he may command all necessary assistance.

§ 3056. SECRET SERVICE POWERS

The Secretary of the Treasury is authorized to direct and use the Secret Service Division of the Treasury Department to detect, arrest, and deliver into custody any person violating any of the provisions of sections 508 and 509 of this title and, insofar as the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks and national farm loan associations are concerned, of sections 218, 221, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907 and 1909 of this title.

Ante, p. 715.

Ante, pp. 695, 703, 711, 729, 733, 750, 751, 752, 791, 792.

§ 3057. BANKRUPTCY INVESTIGATIONS

(a) Any referee, receiver, or trustee having reasonable grounds for believing that any violations of the bankruptcy laws or laws relating to insolvent debtors, receiverships or reorganization plans has been committed, or that an investigation should be had in connection therewith, shall report to the appropriate United States attorney all the facts and circumstances of the case, the names of the witnesses and the offense or offenses believed to have been committed. Where one of such officers has made such report, the others need not do so.

(b) The United States attorney thereupon shall inquire into the facts and report thereon to the referee, and if it appears probable that any such offense has been committed, shall without delay, present the matter to the grand jury, unless upon inquiry and examination he decides that the ends of public justice do not require investigation or prosecution, in which case he shall report the facts to the Attorney General for his direction.

§ 3058. INTERNED BELLIGERENT NATIONALS

Whoever, belonging to the armed land or naval forces of a beligerent nation or belligerent faction and being interned in the United States, in accordance with the law of nations, leaves or attempts to leave said jurisdiction, or leaves or attempts to leave the limits of internment without permission from the proper official of the United States in charge, or willfully overstays a leave of absence granted by such official, shall be subject to arrest by any marshal or deputy marshal of the United States, or by the military or naval authorities thereof, and shall be returned to the place of internment and there confined and safely kept for such period of time as the official of the United States in charge shall direct.

§ 3059. REWARDS AND APPROPRIATIONS THEREFOR

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 as a reward or rewards for the capture of anyone who is charged with violation of criminal laws of the United States or any State or of the District of Columbia, and an equal amount as a reward or rewards for information leading to the arrest of any such person, to be apportioned and expended in the discretion of, and upon such conditions as may be imposed by, the Attorney General of the United States. Not more than $25,000 shall be expended for information or capture of any one person.

If any of the said persons shall be killed in resisting lawful arrest, the Attorney General may pay any part of the reward money in his discretion to the person or persons whom he shall adjudge to be entitled thereto but no reward money shall be paid to any official or employee of the Department of Justice of the United States.

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§ 3102. AUTHORITY TO ISSUE SEARCH WARRANT—(RULE)

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Federal, State or Territorial Judges, or U. S. Commissioners authorized to issue search warrants, Rule 41 (a).

§ 3103. GROUNDS FOR ISSUING SEARCH WARRANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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§ 3104. ISSUANCE OF SEARCH WARRANT; CONTENTS—(RULE)

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§ 3105. PERSONS AUTHORIZED TO SERVE SEARCH WARRANT

A search warrant may in all cases be served by any of the officers mentioned in its direction or by an officer authorized by law to serve such warrant, but by no other person, except in aid of the officer on his requiring it, he being present and acting in its execution.

§ 3106. OFFICER AUTHORIZED TO SERVE SEARCH WARRANT—(RULE)

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Officer to whom search warrant shall be directed, Rule 41 (c).

§ 3107. SERVICE OF WARRANTS AND SEIZURES BY FEDERAL BUREAU OF INVESTIGATION

The Director, Assistant Directors, agents, and inspectors of the Federal Bureau of Investigation of the Department of Justice are empowered to make seizures under warrant for violation of the laws of the United States.

§ 3108. EXECUTION, SERVICE, AND RETURN—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Method and time for execution, service and return of search warrant, Rule 41 (c), (d).

§ 3109. BREAKING DOORS OR WINDOWS FOR ENTRY OR EXIT

The officer may break open any outer or inner door or window of a house, or any part of a house, or anything therein, to execute a search warrant, if, after notice of his authority and purpose, he is refused admittance or when necessary to liberate himself or a person aiding him in the execution of the warrant.

§ 3110. PROPERTY DEFINED—(RULE)

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Term "property" as used in Rule 41 includes documents, books, papers and any other tangible objects, Rule 41 (g).

§ 3111. PROPERTY SEIZABLE ON SEARCH WARRANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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§ 3112. SEARCH WARRANTS FOR SEIZURE OF ANIMALS, BIRDS OR EGGS

Any employee authorized by the Secretary of the Interior to enforce sections 43 and 44 of this title, and any officer of the customs, shall have authority to execute any warrant to search for and seize any property used or possessed in violation of said sections and property so seized shall be held by him or by the United States marshal pending disposition thereof by the court.

Ante, p. 687.

§ 3113. LIQUOR VIOLATIONS IN INDIAN COUNTRY

If any superintendent of Indian affairs, or commanding officer of a military post, or special agent of the Office of Indian Affairs for the suppression of liquor traffic among Indians and in the Indian country and any authorized deputies under his supervision has probable cause to believe that any person is about to introduce or has introduced any spirituous liquor, beer, wine or other intoxicating liquors named in sections 1154 and 1156 of this title into the Indian country in violation of law, he may cause the places, conveyances, and packages of such person to be searched. If any such intoxicating liquor is found therein, the same, together with such conveyances and packages of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the informer and one-half to the use of the United States. If such person be a trader, his license shall be revoked and his bond put in suit.

Ante, pp. 758, 759.

Any person in the service of the United States authorized by this section to make searches and seizures, or any Indian may take and destroy any ardent spirits or wine found in the Indian country, except such as are kept or used for scientific, sacramental, medicinal, or mechanical purposes or such as may be introduced therein by the War Department.

In all cases arising under this section and sections 1154 and 1156 of this title, Indians shall be competent witnesses.

Ante, pp. 758, 759.

§ 3114. RETURN OF SEIZED PROPERTY AND SUPPRESSION OF EVIDENCE; MOTION—(RULE)

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§ 3141. POWER OF COURTS AND MAGISTRATES

Bail may be taken by any court, judge or magistrate authorized to arrest and commit offenders, but in capital cases bail may be taken only by a court of the United States having original or appellate jurisdiction in criminal cases or by a justice or judge thereof.

§ 3142. SURRENDER BY BAIL

Any party charged with a criminal offense and admitted to bail, may, in vacation, be arrested by his surety, and delivered to the marshal or his deputy, and brought before any judge or other officer having power to commit for such offense; and at the request of such surety, the judge or other officer shall recommit the party so arrested to the custody of the marshal, and indorse on the recognizance, or certified copy thereof, the discharge and exoneratur of such surety; and the person so committed shall be held in custody until discharged by due course of law.

§ 3143. ADDITIONAL BAIL

When proof is made to any judge of the United States, or other magistrate authorized to commit on criminal charges, that a person previously admitted to bail on any such charge is about to abscond, and that his bail is insufficient, the judge or magistrate shall require such person to give better security, or, for default thereof, cause him to be committed; and an order for his arrest may be indorsed on the former commitment, or a new warrant therefor may be issued, by such judge or magistrate, setting forth the cause thereof.

§ 3144. CASES REMOVED FROM STATE COURTS

Whenever the judgment of a State Court in any criminal proceeding is brought to the Supreme Court of the United States for review, the defendant shall not be released from custody until a final judgment upon such review, or, if the offense be bailable, until a bond, with sufficient sureties, in a reasonable sum, is given.

§ 3145. PARTIES AND WITNESSES—(RULE)

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§ 3181. SCOPE AND LIMITATION OF CHAPTER

The provisions of this chapter relating to the surrender of persons who have committed crimes in foreign countries shall continue in force only during the existence of any treaty of extradition with such foreign government.

§ 3182. FUGITIVES FROM STATE OR TERRITORY TO STATE, DISTRICT OR TERRITORY

Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State, District or Territory to which such person has fled, and produces a copy of an indictment found or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony, or other crime, certified as authentic by the governor or chief magistrate of the State or Territory from whence the person so charged has fled, the executive authority of the State, District or Territory to which such person has fled shall cause him to be arrested and secured, and notify the executive authority making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the arrest, the prisoner may be discharged.

§ 3183. FUGITIVES FROM STATE, TERRITORY, OR POSSESSION INTO EXTRATERRITORIAL JURISDICTION OF UNITED STATES

Whenever the executive authority of any State, Territory, District, or possession of the United States or the Panama Canal Zone, demands any American citizen or national as a fugitive from justice who has fled to a country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment found or an affidavit made before a magistrate of the demanding jurisdiction, charging the fugitive so demanded with having committed treason, felony, or other offense, certified as authentic by the Governor or chief magistrate of such demanding jurisdiction, or other person authorized to act, the officer or representative of the United States vested with judicial authority to whom the demand has been made shall cause such fugitive to be arrested and secured, and notify the executive authorities making such demand, or the agent of such authority appointed to receive the fugitive, and shall cause the fugitive to be delivered to such agent when he shall appear.

If no such agent shall appear within three months from the time of the arrest, the prisoner may be discharged.

The agent who receives the fugitive into his custody shall be empowered to transport him to the jurisdiction from which he has fled.

§ 3184. FUGITIVES FROM FOREIGN COUNTRY TO UNITED STATES

Whenever there is a treaty or convention for extradition between the United States and any foreign government, any justice or judge of the United States, or any commissioner authorized so to do by a court

of the United States, or any judge of a court of record of general jurisdiction of any State, may, upon complaint made under oath, charging any person found within his jurisdiction, with having committed within the jurisdiction of any such foreign government any of the crimes provided for by such treaty or convention, issue his warrant for the apprehension of the person so charged, that he may be brought before such justice, judge, or commissioner, to the end that the evidence of criminality may be heard and considered. If, on such hearing, he deems the evidence sufficient to sustain the charge under the provisions of the proper treaty or convention, he shall certify the same, together with a copy of all the testimony taken before him, to the Secretary of State, that a warrant may issue upon the requisition of the proper authorities of such foreign government, for the surrender of such person, according to the stipulations of the treaty or convention; and he shall issue his warrant for the commitment of the person so charged to the proper jail, there to remain until such surrender shall be made.

§ 3185. FUGITIVES FROM COUNTRY UNDER CONTROL OF UNITED STATES INTO THE UNITED STATES

Whenever any foreign country or territory, or any part thereof, is occupied by or under the control of the United States, any person who, having violated the criminal laws in force therein by the commission of any of the offenses enumerated below, departs or flees from justice therein to the United States, shall, when found therein, be liable to arrest and detention by the authorities of the United States, and on the written request or requisition of the military governor or other chief executive officer in control of such foreign country or territory shall be returned and surrendered as hereinafter provided to such authorities for trial under the laws in force in the place where such offense was committed.

(1) Murder and assault with intent to commit murder;

(2) Counterfeiting or altering money, or uttering or indebtedness, bank notes, or other instruments of public bringing into circulation counterfeit or altered money;

(3) Counterfeiting certificates or coupons of public credit, and the utterance or circulation of the same;

(4) Forgery or altering and uttering what is forged or altered;

(5) Embezzlement or criminal malversation of the public funds, committed by public officers, employees, or depositaries;

(6) Larceny or embezzlement of an amount not less than $100 in value;

(7) Robbery;

(8) Burglary, defined to be the breaking and entering by nighttime into the house of another person with intent to commit a felony therein;

(9) Breaking and entering the house or building of another, whether in the day or nighttime, with the intent to commit a felony therein;

(10) Entering, or breaking and entering the offices of the Government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance or other companies, with the intent to commit a felony therein;

(11) Perjury or the subornation of perjury;

(12) Rape;

(13) Arson;

(14) Piracy by the law of nations;

(15) Murder, assault with intent to kill, and manslaughter, committed on the high seas, on board a ship owned by or in control of citizens or residents of such foreign country or territory and not under the flag of the United States, or of some other government;

(16) Malicious destruction of or attempt to destroy railways, trams,

vessels, bridges, dwellings, public edifices, or other buildings, when the act endangers human life.

Proceedings.

This chapter, so far as applicable, shall govern proceedings authorized by this section. Such proceedings shall be had before a judge of the courts of the United States only, who shall hold such person on evidence establishing probable cause that he is guilty of the offense charged.

No return or surrender shall be made of any person charged with the commission of any offense of a political nature.

If so held, such person shall be returned and surrendered to the authorities in control of such foreign country or territory on the order of the Secretary of State of the United States, and such authorities shall secure to such a person a fair and impartial trial.

§ 3186. SECRETARY OF STATE TO SURRENDER FUGITIVE

Ante, pp. 822, 823.

The Secretary of State may order the person committed under sections 3184 or 3185 of this title to be delivered to any authorized agent of such foreign government, to be tried for the offense of which charged.

Such agent may hold such person in custody, and take him to the territory of such foreign government, pursuant to such treaty.

A person so accused who escapes may be retaken in the same manner as any person accused of any offense.

§ 3187. PROVISIONAL ARREST AND DETENTION WITHIN EXTRATERRITORIAL JURISDICTION

Ante, pp. 815, 822.

The provisional arrest and detention of a fugitive, under sections 3042 and 3183 of this title, in advance of the presentation of formal proofs, may be obtained by telegraph upon the request of the authority competent to request the surrender of such fugitive addressed to the authority competent to grant such surrender. Such request shall be accompanied by an express statement that a warrant for the fugitive's arrest has been issued within the jurisdiction of the authority making such request charging the fugitive with the commission of the crime for which his extradition is sought to be obtained.

No person shall be held in custody under telegraphic request by virtue of this section for more than ninety days.

§ 3188. TIME OF COMMITMENT PENDING EXTRADITION

Whenever any person who is committed for rendition to a foreign government to remain until delivered up in pursuance of a requisition, is not so delivered up and conveyed out of the United States within two calendar months after such commitment, over and above the time actually required to convey the prisoner from the jail to which he was committed, by the readiest way, out of the United States, any judge of the United States, or of any State, upon application made to him by or on behalf of the person so committed, and upon proof made to him that reasonable notice of the intention to make such application has been given to the Secretary of State, may order the person so committed to be discharged out of custody, unless sufficient cause is shown to such judge why such discharge ought not to be ordered.

§ 3189. PLACE AND CHARACTER OF HEARING

Hearings in cases of extradition under treaty stipulation or convention shall be held on land, publicly, and in a room or office easily accessible to the public.

§ 3190. EVIDENCE ON HEARING

Depositions, warrants, or other papers or copies thereof offered in evidence upon the hearing of any extradition case shall be received and admitted as evidence on such hearing for all the purposes of such hearing if they shall be properly and legally authenticated so as to entitle

them to be received for similar purposes by the tribunals of the foreign country from which the accused party shall have escaped, and the certificate of the principal diplomatic or consular officer of the United States resident in such foreign country shall be proof that the same, so offered, are authenticated in the manner required.

§ 3191. WITNESSES FOR INDIGENT FUGITIVES

On the hearing of any case under a claim of extradition by a foreign government, upon affidavit being filed by the person charged setting forth that there are witnesses whose evidence is material to his defense, that he cannot safely go to trial without them, what he expects to prove by each of them, and that he is not possessed of sufficient means, and is actually unable to pay the fees of such witnesses, the judge or commissioner hearing the matter may order that such witnesses be subpenaed; and the costs incurred by the process, and the fees of witnesses, shall be paid in the same manner as in the case of witnesses subpenaed in behalf of the United States.

§ 3192. PROTECTION OF ACCUSED

Whenever any person is delivered by any foreign government to an agent of the United States, for the purpose of being brought within the United States and tried for any offense of which he is duly accused, the President shall have power to take all necessary measures for the transportation and safekeeping of such accused person, and for his security against lawless violence, until the final conclusion of his trial for the offenses specified in the warrant of extradition, and until his final discharge from custody or imprisonment for or on account of such offenses, and for a reasonable time thereafter, and may employ such portion of the land or naval forces of the United States, or of the militia thereof, as may be necessary for the safe-keeping and protection of the accused.

§ 3193. RECEIVING AGENT'S AUTHORITY OVER OFFENDERS

A duly appointed agent to receive, in behalf of the United States, the delivery, by a foreign government, of any person accused of crime committed within the United States, and to convey him to the place of his trial, shall have all the powers of a marshal of the United States, in the several districts through which it may be necessary for him to pass with such prisoner, so far as such power is requisite for the prisoner's safe-keeping.

§ 3194. TRANSPORTATION OF FUGITIVE BY RECEIVING AGENT

Any agent appointed as provided in section 3182 of this title who receives the fugitive into his custody is empowered to transport him to the State or Territory from which he has fled.

Ante, p. 822.

§ 3195. PAYMENT OF FEES AND COSTS

All costs or expenses incurred in any extradition proceeding in apprehending, securing, and transmitting a fugitive shall be paid by the demanding authority.

All witness fees and costs of every nature in cases of international extradition, including the fees of the commissioner, shall be certified by the judge or commissioner before whom the hearing shall take place to the Secretary of State of the United States, and the same shall be paid out of appropriations to defray the expenses of the judiciary or the Department of Justice as the case may be.

The Attorney General shall certify to the Secretary of State the amounts to be paid to the United States on account of said fees and costs in extradition cases by the foreign government requesting the extradition, and the Secretary of State shall cause said amounts to be collected and transmitted to the Attorney General for deposit in the Treasury of the United States.

CHAPTER 211.—JURISDICTION AND VENUE

Sec.

3231. District courts.
3232. District of offense—Rule.
3233. Transfer within District—Rule.
3234. Change of venue to another district—Rule.
3235. Venue in capital cases.
3236. Murder or manslaughter.
3237. Offenses begun in one district and completed in another.
3238. Offenses not committed in any district.
3239. Threatening communications.
3240. Creation of new district or division.
3241. Jurisdiction of offenses under certain sections.
3242. Indians committing certain offenses; acts on reservations.
3243. Jurisdiction of State of Kansas over offenses committed by or against Indians on Indian reservations.

§ 3231. DISTRICT COURTS

The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.

Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

§ 3232. DISTRICT OF OFFENSE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proceedings to be in district and division in which offense committed, Rule 18.

§ 3233. TRANSFER WITHIN DISTRICT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arraignment, plea, trial, sentence in district of more than one division, Rule 19.

§ 3234. CHANGE OF VENUE TO ANOTHER DISTRICT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Plea or disposal of case in district other than that in which defendant was arrested, Rule 20.

§ 3235. VENUE IN CAPITAL CASES

The trial of offenses punishable with death shall be had in the county where the offense was committed, where that can be done without great inconvenience.

§ 3236. MURDER OR MANSLAUGHTER

In all cases of murder or manslaughter, the offense shall be deemed to have been committed at the place where the injury was inflicted, or the poison administered or other means employed which caused the death, without regard to the place where the death occurs.

§ 3237. OFFENSES BEGUN IN ONE DISTRICT AND COMPLETED IN ANOTHER

Except as otherwise expressly provided by enactment of Congress, any offense against the United States begun in one district and completed in another, or committed in more than one district, may be inquired of and prosecuted in any district in which such offense was begun, continued, or completed.

Any offense involving the use of the mails, or transportation in interstate or foreign commerce, is a continuing offense and, except as otherwise expressly provided by enactment of Congress, may be inquired of and prosecuted in any district from, through, or into which such commerce or mail matter moves.

§ 3238. OFFENSES NOT COMMITTED IN ANY DISTRICT

The trial of all offenses begun or committed upon the high seas, or elsewhere out of the jurisdiction of any particular State or district, shall be in the district where the offender is found, or into which he is first brought.

§ 3239. THREATENING COMMUNICATIONS

Any defendant indicted under sections 875, 876 or 877 of this title, with respect to communications originating in the United States, shall, upon motion duly made, be entitled as of right to be tried in the district in which the matter mailed or otherwise transmitted was first set in motion, in the mails or in commerce between the States.

Ante, p. 741.

§ 3240. CREATION OF NEW DISTRICT OR DIVISION

Whenever any new district or division is established, or any county or territory is transferred from one district or division to another district or division, prosecutions for offenses committed within such district, division, county, or territory prior to such transfer, shall be commenced and proceeded with the same as if such new district or division had not been created, or such county or territory had not been transferred, unless the court, upon the application of the defendant, shall order the case to be removed to the new district or division for trial. The transfer of such prosecutions shall be made in the manner provided in section 119 of Title 28.

§ 3241. JURISDICTION OF OFFENSES UNDER CERTAIN SECTIONS

The District Court for the Territory of Alaska, the United States District Court for the Canal Zone and the District Court of the Virgin Islands shall have jurisdiction of offenses under the laws of the United States, not locally inapplicable, committed within the territorial jurisdiction of such courts, and jurisdiction, concurrently with the district courts of the United States, of offenses against the laws of the United States committed upon the high seas.

§ 3242. INDIANS COMMITTING CERTAIN OFFENSES; ACTS ON RESERVATIONS

All Indians committing any of the following offenses, namely, murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, and larceny on and within any Indian reservation, including rights-of-way running through the reservation, shall be tried in the same courts, and in the same manner, as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

§ 3243. JURISDICTION OF STATE OF KANSAS OVER OFFENSES COMMITTED BY OR AGAINST INDIANS ON INDIAN RESERVATIONS

Jurisdiction is conferred on the State of Kansas over offenses committed by or against Indians on Indian reservations, including trust or restricted allotments, within the State of Kansas, to the same extent as its courts have jurisdiction over offenses committed elsewhere within the State in accordance with the laws of the State.

This section shall not deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians on Indian reservations.

CHAPTER 213.—LIMITATIONS

Sec.

3281. Capital offenses.
3282. Offenses not capital.
3283. Customs and slave trade violations.
3284. Concealment of bankrupt's assets.
3285. Criminal contempt.
3286. Seduction on vessel of United States.
3287. Wartime suspension of limitations.
3288. Reindictment where defect found after period of limitations.
3289. Reindictment where defect found before period of limitations.
3290. Fugitives from justice.

§ 3281. CAPITAL OFFENSES

An indictment for any offense punishable by death may be found at any time without limitation except for offenses barred by the provisions of law existing on August 4, 1939.

§ 3282. OFFENSES NOT CAPITAL

Except as otherwise expressly provided by law, no person shall be prosecuted, tried, or punished for any offense, not capital, unless the indictment is found or the information is instituted within three years next after such offense shall have been committed.

§ 3283. CUSTOMS AND SLAVE TRADE VIOLATIONS

No person shall be prosecuted, tried or punished for any violation of the customs laws or the slave trade laws of the United States unless the indictment is found or the information is instituted within five years next after the commission of the offense.

§ 3284. CONCEALMENT OF BANKRUPT'S ASSETS

The concealment of assets of a bankrupt or other debtor shall be deemed to be a continuing offense until the debtor shall have been finally discharged or a discharge denied, and the period of limitations shall not begin to run until such final discharge or denial of discharge.

§ 3285. CRIMINAL CONTEMPT

Ante, p. 701.

No proceeding for criminal contempt within section 402 of this title shall be instituted against any person, corporation or association unless begun within one year from the date of the act complained of; nor shall any such proceeding be a bar to any criminal prosecution for the same act.

§ 3286. SEDUCTION ON VESSEL OF UNITED STATES

Ante, p. 802.

No person shall be prosecuted, tried, or punished for seduction in violation of section 2198 of this title unless indictment is found or the information is filed within one year after the vessel on which the offense was committed arrives at its port of destination.

§ 3287. WARTIME SUSPENSION OF LIMITATIONS

When the United States is at war the running of any statute of limitations applicable to any offense (1) involving fraud or attempted fraud against the United States or any agency thereof in any manner, whether by conspiracy or not, or (2) committed in connection with the acquisition, care, handling, custody, control or disposition of any real or personal property of the United States, or (3) committed in connection with the negotiation, procurement, award, performance, payment for, interim financing, cancelation, or other termination or settlement, of any contract, subcontract, or purchase order which is connected with or related to the prosecution of the war, or with any disposition of termination inventory by any war contractor or Government agency, shall be suspended until three years after the termination of hostilities as proclaimed by the President or by a concurrent resolution of Congress.

41 U. S. C., Supp. I, § 103.

Definitions of terms in section 103 of Title 41 shall apply to similar terms used in this section.

§ 3288. REINDICTMENT WHERE DEFECT FOUND AFTER PERIOD OF LIMITATIONS

Whenever an indictment is dismissed for any error, defect or irregularity with respect to the grand jury, or is found otherwise defective or insufficient for any cause, after the period prescribed by the applicable statute of limitations has expired, a new indictment may be returned not later than the end of the next succeeding regular term of such court, following the term at which such indictment was found defective or insufficient, during which a grand jury shall be in session which new indictment shall not be barred by any statute of limitations.

§ 3289. REINDICTMENT WHERE DEFECT FOUND BEFORE PERIOD OF LIMITATIONS

Whenever an indictment is dismissed for any error, defect or irregularity with respect to the grand jury, or is found otherwise defective or insufficient for any cause, before the period prescribed by the applicable statute of limitations has expired, and such period will expire before the end of the next regular term of the court to which such indictment was returned, a new indictment may be returned not later than the end of the next succeeding regular term of such court following the term at which such indictment was found defective or insufficient, during which a grand jury shall be in session which new indictment shall not be barred by any statute of limitations.

§ 3290. FUGITIVES FROM JUSTICE

No statute of limitations shall extend to any person fleeing from justice.

CHAPTER 215.—GRAND JURY

Sec.

3321. Number of grand jurors; summoning additional jurors.
3322. Number; summoning—Rule.
3323. Objections and motions—Rule.
3324. Foreman and deputy; powers and duties; records—Rule.
3325. Persons present at proceedings—Rule.
3326. Secrecy of proceedings and disclosure—Rule.
3327. Indictment; finding and return—Rule.
3328. Discharging jury and excusing juror—Rule.

§ 3321. NUMBER OF GRAND JURORS; SUMMONING ADDITIONAL JURORS

Every grand jury impaneled before any district court shall consist of not less than sixteen nor more than twenty-three persons. If less than sixteen of the persons summoned attend, they shall be placed on the grand jury, and the court shall order the marshal to summon, either immediately or for a day fixed, from the body of the district, and not from the bystanders, a sufficient number of persons to complete the grand jury. Whenever a challenge to a grand juror is allowed, and there are not in attendance other jurors sufficient to complete the grand jury, the court shall make a like order to the marshal to summon a sufficient number of persons for that purpose.

§ 3322. NUMBER; SUMMONING—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Summoning grand jury; number of grand jurors, Rule 6 (a).

§ 3323. OBJECTIONS AND MOTIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Challenging array of grand jurors or individual grand jurors; motions to dismiss, Rule 6 (b).

§ 3324. FOREMAN AND DEPUTIES; POWERS AND DUTIES; RECORDS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Appointment of grand jury foreman and deputy foreman; oaths, affirmations and indictments; records of jurors concurring, Rule 6 (c).

§ 3325. PERSONS PRESENT AT PROCEEDINGS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Persons who may be present while grand jury is in session; exclusion while jury is deliberating or voting, Rule 6 (d).

§ 3326. SECRECY OF PROCEEDINGS AND DISCLOSURE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disclosure of proceedings to government attorneys; disclosure by direction of court or permission of defendant; secrecy of indictment, Rule 6 (e).

§ 3327. INDICTMENT; FINDING AND RETURN—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Concurrence of twelve or more jurors in indictment; return of indictment to judge in open court, Rule 6 (f).

§ 3328. DISCHARGING JURY AND EXCUSING JUROR—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Discharge of grand jury by court; limitation of service; excusing juror for cause, Rule 6 (g).

CHAPTER 217.—INDICTMENT AND INFORMATION

Sec.

3361. Form and contents—Rule.
3362. Waiver of indictment and prosecution on information—Rule.
3363. Joinder of offenses—Rule.
3364. Joinder of defendants—Rule.
3365. Amendment of information—Rule.
3366. Bill of particulars—Rule.
3367. Dismissal—Rule.

§ 3361. FORM AND CONTENTS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Contents and form; striking surplusage, Rule 7 (a), (c), (d).

§ 3362. WAIVER OF INDICTMENT AND PROSECUTION ON INFORMATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Waiver of indictment for offenses not punishable by death, Rule 7 (b).

§ 3363. JOINDER OF OFFENSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Joinder of two or more offenses in same indictment, Rule 8 (a).
Trial together of indictments or informations, Rule 13.

§ 3364. JOINDER OF DEFENDANTS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Joinder of two or more defendants charged in same indictment, Rule 8 (b).
Relief from prejudicial joinder, Rule 14.

§ 3365. AMENDMENT OF INFORMATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Amendment of information, time and conditions, Rule 7 (e).

§ 3366. BILL OF PARTICULARS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Bill of particulars for cause; motion after arraignment; time; amendment, Rule 7 (f).

§ 3367. DISMISSAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Dismissal filed by Attorney General or United States Attorney, Rule 48.
Dismissal on objection to array of grand jury or lack of legal qualification of individual grand juror, Rule 6 (b) (2).

CHAPTER 219.—TRIAL BY COMMISSIONERS

Sec.

3401. Petty offenses; application of probation laws; fees.
3402. Rules of procedure, practice and appeal.

§ 3401. PETTY OFFENSES; APPLICATION OF PROBATION LAWS; FEES

(a) Any United States commissioner specially designated for that purpose by the court by which he was appointed has jurisdiction to try and sentence persons committing petty offenses in any place over which the Congress has exclusive power to legislate or over which the United States has concurrent jurisdiction, and within the judicial district for which such commissioner was appointed.

(b) Any person charged with a petty offense may elect, however, to be tried in the district court of the United States. The commissioner shall apprise the defendant of his right to make such election and shall not proceed to try the case unless the defendant after being so apprised, signs a written consent to be tried before the commissioner.

(c) The probation laws shall be applicable to persons so tried and the commissioner shall have power to grant probation.

(d) For his services in such cases the commissioner shall receive the fees, and none other, provided by law for like or similar services.

(e) This section shall not apply to the District of Columbia nor shall it repeal or limit existing jurisdiction, power or authority of commissioners appointed for Alaska or in the several national parks.

§ 3402. RULES OF PROCEDURE, PRACTICE AND APPEAL

In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed.

The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States.

CHAPTER 221.—ARRAIGNMENT, PLEAS AND TRIAL

Sec.

3431. Term of court; power of court unaffected by expiration—Rule.
3432. Indictment and list of jurors and witnesses for prisoner in capital cases.
3433. Arraignment—Rule.
3434. Presence of defendant—Rule.
3435. Receiver of stolen property triable before or after principal.
3436. Consolidation of indictments or informations—Rule.
3437. Severance—Rule.
3438. Pleas—Rule.
3439. Demurrers and special pleas in bar or abatement abolished; relief on motion—Rule.
3440. Defenses and objections determined on motion—Rule.
3441. Jury; number of jurors; waiver—Rule.
3442. Jurors, examination, peremptory challenges; alternates—Rule.
3443. Instructions to jury—Rule.
3444. Disability of judge—Rule.
3445. Motion for judgment of acquittal—Rule.
3446. New trial—Rule.

§ 3431. TERM OF COURT; POWER OF COURT UNAFFECTED BY EXPIRATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Expiration of term without significance in criminal cases, Rule 45 (c).

§ 3432. INDICTMENT AND LIST OF JURORS AND WITNESSES FOR PRISONER IN CAPITAL CASES

A person charged with treason or other capital offense shall at least three entire days before commencement of trial be furnished with a copy of the indictment and a list of the veniremen, and of the witnesses to be produced on the trial for proving the indictment, stating the place of abode of each venireman and witness.

§ 3433. ARRAIGNMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Reading and furnishing copy of indictment to accused, Rule 10.

§ 3434. PRESENCE OF DEFENDANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Right of defendant to be present generally; corporation; waiver, Rule 43.

§ 3435. RECEIVER OF STOLEN PROPERTY TRIABLE BEFORE OR AFTER PRINCIPAL

A person charged with receiving or concealing stolen property may be tried either before or after the trial of the principal offender.

§ 3436. CONSOLIDATION OF INDICTMENTS OR INFORMATIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Two or more indictments or informations triable together, Rule 13.

§ 3437. SEVERANCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Relief from prejudicial joinder of defendants or offenses, Rule 14.

§ 3438. PLEAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Plea of guilty, not guilty, or nolo contendere; acceptance by court; refusal to plead; corporation failing to appear, Rule 11.
Withdrawal of plea of guilty, Rule 32.

§ 3439. DEMURRERS AND SPECIAL PLEAS IN BAR OR ABATEMENT ABOLISHED; RELIEF ON MOTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Motion to dismiss or for appropriate relief substituted for demurrer or dilatory plea or motion to quash, Rule 12.

§ 3440. DEFENSES AND OBJECTIONS DETERMINED ON MOTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Defenses or objections which may or must be raised before trial; time; hearing; effect of determination; limitations by law unaffected, Rule 12 (b).

§ 3441. JURY; NUMBER OF JURORS; WAIVER—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Jury trial, waiver, twelve jurors or less by written stipulation, trial by court on general or special findings, Rule 23.

§ 3442. JURORS, EXAMINATION, PEREMPTORY CHALLENGES; ALTERNATES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Examination and peremptory challenges of trial jurors; alternate jurors, Rule 24.

§ 3443. INSTRUCTIONS TO JURY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court's instructions to jury, written requests and copies, objections, Rule 30.

§ 3444. DISABILITY OF JUDGE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disability of judge after verdict or finding of guilt, Rule 25.

§ 3445. MOTION FOR JUDGMENT OF ACQUITTAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Motions for directed verdict abolished.
Motions for judgment of acquittal adopted; court may reserve decision; renewal, Rule 29.

§ 3446. NEW TRIAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Granting of new trial, grounds, and motion, Rule 33.

CHAPTER 223.—WITNESSES AND EVIDENCE

Sec.

3481. Competency of accused.
3482. Evidence and witnesses—Rule.
3483. Indigent defendants, process to produce evidence—Rule.
3484. Subpoenas—Rule.
3485. Expert witnesses—Rule.
3486. Testimony before Congress; immunity.
3487. Refusal to pay as evidence of embezzlement.

Sec.
3488. Intoxicating liquor in Indian country as evidence of unlawful introduction.
3489. Discovery and inspection—Rule.
3490. Official record or entry—Rule.
3491. Foreign documents.
3492. Commission to consular officers to authenticate foreign documents.
3493. Deposition to authenticate foreign documents.
3494. Certification of genuineness of foreign document.
3495. Fees and expenses of consuls, counsel, interpreters and witnesses.
3496. Regulations by President as to commissions, fees of witnesses, counsel and interpreters.
3497. Account as evidence of embezzlement.
3498. Depositions—Rule.
3499. Contempt of court by witness—Rule.

§ 3481. COMPETENCY OF ACCUSED

In trial of all persons charged with the commission of offenses against the United States and in all proceedings in courts martial and courts of inquiry in any State, District, Possession or Territory, the person charged shall, at his own request, be a competent witness. His failure to make such request shall not create any presumption against him.

§ 3482. EVIDENCE AND WITNESSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Competency and privileges of witnesses and admissibility of evidence governed by principles of common law, Rule 26.

§ 3483. INDIGENT DEFENDANTS, PROCESS TO PRODUCE EVIDENCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Subpoena for indigent defendants, motion, affidavit, costs, Rule 17 (b).

§ 3484. SUBPOENAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Form, contents and issuance of subpoena, Rule 17 (a).
Service in United States, Rule 17 (d), (e, 1).
Service in foreign country, Rule 17 (d), (e, 2).
Indigent defendants, Rule 17 (b).
On taking depositions, Rule 17 (f).
Papers and documents, Rule 17 (c).
Disobedience of subpoena as contempt of court, Rule 17 (g).

§ 3485. EXPERT WITNESSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Selection and appointment of expert witnesses by court or parties; compensation, Rule 28.

§ 3486. TESTIMONY BEFORE CONGRESS: IMMUNITY

No testimony given by a witness before either House, or before any committee of either House, or before any joint committee established by a joint or concurrent resolution of the two Houses of Congress, shall be used as evidence in any criminal proceeding against him in any court, except in a prosecution for perjury committed in giving such testimony. But an official paper or record produced by him is not within the said privilege.

§ 3487. REFUSAL TO PAY AS EVIDENCE OF EMBEZZLEMENT

The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money to pay any draft, order, or warrant, drawn upon him by the General Accounting Office, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money, promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, prima facie evidence of such embezzlement.

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§ 3488. INTOXICATING LIQUOR IN INDIAN COUNTRY AS EVIDENCE OF UNLAWFUL INTRODUCTION

The possession by a person of intoxicating liquors in Indian country where the introduction is prohibited by treaty or Federal statute shall be prima facie evidence of unlawful introduction.

§ 3489. DISCOVERY AND INSPECTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Inspection of documents and papers taken from defendant, Rule 16.

§ 3490. OFFICIAL RECORD OR ENTRY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proof of official record or entry as in civil actions, Rule 27.

§ 3491. FOREIGN DOCUMENTS

Any book, paper, statement, record, account, writing, or other document, or any portion thereof, of whatever character and in whatever form, as well as any copy thereof equally with the original, which is not in the United States shall, when duly certified as provided in section 3494 of this title, and section 695e of Title 28, be admissible in evidence in any criminal action or proceeding in any court of the United States if the court shall find, from all the testimony taken with respect to such foreign document pursuant to a commission executed under section 3492 of this title, that such document (or the original thereof in case such document is a copy) satisfies the requirements of section 695 of Title 28, unless in the event that the genuineness of such document is denied, any party to such criminal action or proceeding making such denial shall establish to the satisfaction of the court that such document is not genuine. Nothing contained herein shall be deemed to require authentication under the provisions of section 3494 of this title and section 695e of Title 28 of any such foreign documents which may otherwise be properly authenticated by law.

Post, p. 835.

§ 3492. COMMISSION TO CONSULAR OFFICERS TO AUTHENTICATE FOREIGN DOCUMENTS

(a) The testimony of any witness in a foreign country may be taken either on oral or written interrogatories, or on interrogatories partly oral and partly written, pursuant to a commission issued, as hereinafter provided, for the purpose of determining whether any foreign documents sought to be used in any criminal action or proceeding in any court of the United States are genuine, and whether the requirements of section 695 of Title 28 are satisfied with respect to any such document (or the original thereof in case such document is a copy). Application for the issuance of a commission for such purpose may be made to the court in which such action or proceeding is pending by the United States or any other party thereto, after five days' notice in writing by the applicant party, or his attorney, to the opposite party, or his attorney of record, which notice shall state the names and addresses of witnesses whose testimony is to be taken and the time when it is desired to take such testimony. In granting such application the court shall issue a commission for the purpose of taking the testimony sought by the applicant addressed to any consular officer of the United States conveniently located for the purpose. In cases of testimony taken on oral or partly oral interrogatories, the court shall make provisions in the commission for the selection as hereinafter provided of foreign counsel to represent each party (except the United States) to the criminal action or proceeding in which the foreign documents in question are to be used, unless such party has, prior to the issuance of the commission, notified the court that he does not desire the selection of foreign counsel to represent him at the time of taking

Issuance of commission.

of such testimony. In cases of testimony taken on written interrogatories, such provision shall be made only upon the request of any such party prior to the issuance of such commission. Selection of foreign counsel shall be made by the party whom such foreign counsel is to represent within ten days prior to the taking of testimony or by the court from which the commission issued, upon the request of such party made within such time.

Disqualification of consular officer on own motion.

(b) Any consular officer to whom a commission is addressed to take testimony, who is interested in the outcome of the criminal action or proceeding in which the foreign documents in question are to be used or has participated in the prosecution of such action or proceeding, whether by investigations, preparation of evidence, or otherwise, may be disqualified on his own motion or on that of the United States or any other party to such criminal action or proceeding made to the court from which the commission issued at any time prior to the execution thereof. If after notice and hearing, the court grants the motion, it shall instruct the consular officer thus disqualified to send the commission to any other consular officer of the United States named by the court, and such other officer shall execute the commission according to its terms and shall for all purposes be deemed the officer to whom the commission is addressed.

(c) The provisions of this section and sections 3493–3496 of this title applicable to consular officers shall be applicable to diplomatic officers pursuant to such regulations as may be prescribed by the President.

Infra; post, p. 836.

§ 3493. DEPOSITION TO AUTHENTICATE FOREIGN DOCUMENTS

The consular officer to whom any commission authorized under section 3492 of this title is addressed shall take testimony in accordance with its terms. Every person whose testimony is taken shall be cautioned and sworn to testify the whole truth and carefully examined. His testimony shall be reduced to writing or typewriting by the consular officer taking the testimony, or by some person under his personal supervision, or by the witness himself, in the presence of the consular officer and by no other person, and shall, after it has been reduced to writing or typewriting, be subscribed by the witness. Every foreign document, with respect to which testimony is taken, shall be annexed to such testimony and subscribed by each witness who appears for the purpose of establishing the genuineness of such document. When counsel for all the parties attend the examination of any witness whose testimony is to be taken on written interrogatories, they may consent that oral interrogatories in addition to those accompanying the commission may be put to the witness. The consular officer taking any testimony shall require an interpreter to be present when his services are needed or are requested by any party or his attorney.

Ante, p. 834.

Presence of interpreter.

§ 3494. CERTIFICATION OF GENUINENESS OF FOREIGN DOCUMENT

If the consular officer executing any commission authorized under section 3492 of this title shall be satisfied, upon all the testimony taken, that a foreign document is genuine, he shall certify such document to be genuine under the seal of his office. Such certification shall include a statement that he is not subject to disqualification under the provisions of section 3492 of this title. He shall thereupon transmit, by mail, such foreign documents, together with the record of all testimony taken and the commission which has been executed, to the clerk of the court from which such commission issued, in the manner in which his official dispatches are transmitted to the Government. The clerk receiving any executed commission shall open it and shall make any foreign documents and record of testimony, transmitted with such commission, available for inspection by the parties to the criminal

Ante, p. 834.

Transmission of documents to court.

action or proceeding in which such documents are to be used, and said parties shall be furnished copies of such documents free of charge.

§ 3495. FEES AND EXPENSES OF CONSULS, COUNSEL, INTERPRETERS AND WITNESSES

(a) The consular fees prescribed under section 127 of Title 22, for official services in connection with the taking of testimony under sections 3492–3494 of this title, and the fees of any witness whose testimony is taken shall be paid by the party who applied for the commission pursuant to which such testimony was taken. Every witness under section 3493 of this title shall be entitled to receive, for each day's attendance, fees prescribed under section 3496 of this title. Every foreign counsel selected pursuant to a commission issued on application of the United States, and every interpreter whose services are required by a consular officer under section 3493 of this title, shall be paid by the United States, such compensation, together with such personal and incidental expense upon verified statements filed with the consular officer, as he may allow. Compensation and expenses of foreign counsel selected pursuant to a commission issued on application of any party other than the United States shall be paid by the party whom such counsel represents and shall be allowed in the same manner.

Ante, pp. 834, 835.

Infra.

(b) Whenever any party makes affidavit, prior to the issuance of a commission for the purpose of taking testimony, that he is not possessed of sufficient means and is actually unable to pay any fees and costs incurred under this section, such fees and costs shall, upon order of the court, be paid in the same manner as fees and costs are paid which are chargeable to the United States.

(c) Any appropriation available for the payment of fees and costs in the case of witnesses subpenaed in behalf of the United States in criminal cases shall be available for any fees or costs which the United States is required to pay under this section.

§ 3496. REGULATIONS BY PRESIDENT AS TO COMMISSIONS, FEES OF WITNESSES, COUNSEL AND INTERPRETERS

The President is authorized to prescribe regulations governing the manner of executing and returning commissions by consular officers under the provisions of sections 3492–3494 of this title and schedules of fees allowable to witnesses, foreign counsel, and interpreters under section 3495 of this title.

Ante, pp. 834, 835.

§ 3497. ACCOUNT AS EVIDENCE OF EMBEZZLEMENT

Upon the trial of any indictment against any person for embezzling public money it shall be sufficient evidence, prima facie, for the purpose of showing a balance against such person, to produce a transcript from the books and proceedings of the General Accounting Office.

§ 3498. DEPOSITIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Time, manner and conditions of taking depositions; costs; notice; use; objections; written interrogatories, Rule 15.
Subpoenas on taking depositions, Rule 17 (f).

§ 3499. CONTEMPT OF COURT BY WITNESS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disobedience of subpoena without excuse as contempt, Rule 17 (g).

CHAPTER 225.—VERDICT

Sec.

3531. Return; several defendants; conviction of less offense; poll of jury—Rule.
3532. Setting aside verdict of guilty; judgment notwithstanding verdict—Rule.

§ 3531. RETURN; SEVERAL DEFENDANTS; CONVICTION OF LESS OFFENSE; POLL OF JURY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Verdict to be unanimous; return; several defendants; disagreement; conviction of less offense; poll of jury, Rule 31.

§ 3532. SETTING ASIDE VERDICT OF GUILTY; JUDGMENT NOTWITHSTANDING VERDICT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Setting aside verdict of guilty on motion for judgment of acquittal, entering of such judgment, or ordering new trial; absence of verdict, Rule 29 (b).

CHAPTER 227.—SENTENCE, JUDGMENT, AND EXECUTION

Sec.

3561. Judgment form and entry.—Rule.
3562. Sentence—Rule.
3563. Corruption of blood or forfeiture of estate.
3564. Pillory and whipping.
3565. Collection and payment of fines and penalties.
3566. Execution of death sentence.
3567. Death sentence may prescribe dissection.
3568. Effective date of sentence.
3569. Discharge of indigent prisoner.
3570. Presidential remission as affecting unremitted part.
3571. Clerical mistakes—Rule.
3572. Correction or reduction of sentence—Rule.
3573. Arrest or setting aside of judgment—Rule.
3574. Stay of execution; supersedeas—Rule.

§ 3561. JUDGMENT FORM AND ENTRY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Judgment to be signed by judge and entered by clerk, Rule 32 (b).

§ 3562. SENTENCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Imposition of sentence; commitment; bail; presentence investigation and report, Rule 32 (a, c).

§ 3563. CORRUPTION OF BLOOD OR FORFEITURE OF ESTATE

No conviction or judgment shall work corruption of blood or any forfeiture of estate.

§ 3564. PILLORY AND WHIPPING

The punishment of whipping and of standing in the pillory shall not be inflicted.

§ 3565. COLLECTION AND PAYMENT OF FINES AND PENALTIES

In all criminal cases in which judgment or sentence is rendered, imposing the payment of a fine or penalty, whether alone or with any other kind of punishment, such judgment, so far as the fine or penalty is concerned, may be enforced by execution against the property of the defendant in like manner as judgments in civil cases. Where the judgment directs imprisonment until the fine or penalty imposed is paid, the issue of execution on the judgment shall not discharge the defendant from imprisonment until the amount of the judgment is paid.

§ 3566. EXECUTION OF DEATH SENTENCE

The manner of inflicting the punishment of death shall be that prescribed by the laws of the place within which the sentence is imposed. The United States marshal charged with the execution of the sentence may use available local facilities and the services of an appropriate local official or employ some other person for such purpose, and pay the cost thereof in an amount approved by the Attorney General. If the laws of the place within which sentence is imposed

make no provision for the infliction of the penalty of death, then the court shall designate some other place in which such sentence shall be executed in the manner prescribed by the laws thereof.

§ 3567. DEATH SENTENCE MAY PRESCRIBE DISSECTION

The court before which any person is convicted of murder in the first degree, or rape, may, in its discretion, add to the judgment of death, that the body of the offender be delivered to a surgeon for dissection; and the marshal who executes such judgment shall deliver the body, after execution, to such surgeon as the court may direct; and such surgeon, or some person appointed by him, shall receive and take away the body at the time of execution.

§ 3568. EFFECTIVE DATE OF SENTENCE

The sentence of imprisonment of any person convicted of an offense in a court of the United States shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of said sentence.

If any such person shall be committed to a jail or other place of detention to await transportation to the place at which his sentence is to be served, his sentence shall commence to run from the date on which he is received at such jail or other place of detention.

No sentence shall prescribe any other method of computing the term.

§ 3569. DISCHARGE OF INDIGENT PRISONER

(a) When a poor convict, sentenced for violation of any law of the United States by any court established by enactment of Congress, to be imprisoned and pay a fine, or fine and costs, or to pay a fine, or fine and costs, has been confined in prison thirty days, solely for the nonpayment of such fine, or fine and costs, such convict may make application in writing to the nearest United States commissioner in the district where he is imprisoned setting forth his inability to pay such fine, or fine and costs, and after notice to the district attorney of the United States, who may appear, offer evidence, and be heard, the commissioner shall proceed to hear and determine the matter.

Oath of indigent convict.

If on examination it shall appear to him that such convict is unable to pay such fine, or fine and costs, and that he has not any property exceeding $20 in value, except such as is by law exempt from being taken on execution for debt, the commissioner shall administer to him the following oath: "I do solemnly swear that I have not any property, real or personal, exceeding $20, except such as is by law exempt from being taken on civil process for debt; and that I have no property in any way conveyed or concealed, or in any way disposed of, for my future use or benefit. So help me God." Upon taking such oath such convict shall be discharged; and the commissioner shall file with the institution in which the convict is confined, a certificate setting forth the facts. In case the convict is found by the commissioner to possess property valued at an amount in excess of said exemption, nevertheless, if the Attorney General finds that the retention by such convict of all of such property is reasonably necessary for his support or that of his family, such convict shall be released without further imprisonment solely for the nonpayment of such fine, or fine and costs; or if he finds that the retention by such convict of any part of such property is reasonably necessary for his support or that of his family, such convict shall be released without further imprisonment solely for nonpayment of such fine or fine and costs upon payment on account of his fine and costs, of that portion of his property in excess of the amount found to be reasonably necessary for his support or that of his family.

(b) Any such indigent prisoner in a Federal institution may, in the first instance, make his application to the warden of such institution, who shall have all the powers of a United States Commissioner in such matters, and upon proper showing in support of the application shall administer the oath required by subsection (a) of this section, discharge the prisoner, and file his certificate to that effect in the records of the institution.

Failure or refusal to administer oath.

Any such indigent prisoner, to whom the warden shall fail or refuse to administer the oath may apply to the nearest Commissioner for the relief authorized by this section and the Commissioner shall proceed de novo to hear and determine the matter.

§ 3570. PRESIDENTIAL REMISSION AS AFFECTING UNREMITTED PART

Whenever, by the judgment of any court or judicial officer of the United States, in any criminal proceeding, any person is sentenced to two kinds of punishment, the one pecuniary and the other corporal, the President's remission in whole or in part of either kind shall not impair the legal validity of the other kind, or of any portion of either kind, not remitted.

§ 3571. CLERICAL MISTAKES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court empowered to correct clerical mistakes in judgments, orders, or record, Rule 36.

§ 3572. CORRECTION OR REDUCTION OF SENTENCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court empowered to correct or reduce sentence; time; Rule 35.

§ 3573. ARREST OR SETTING ASIDE OF JUDGMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arrest of judgment, grounds and motion, time, Rule 34.
Setting aside judgment and permitting withdrawal of plea of guilty, Rule 32 (d).

§ 3574. STAY OF EXECUTION; SUPERSEDEAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Death or imprisonment sentence, fines stayed on appeal; conditions and power of court, Rule 38 (a).

CHAPTER 229.—FINES, PENALTIES AND FORFEITURES

Sec.

3611. Firearms possessed by convicted felons.
3612. Bribe moneys.
3613. Fines for setting grass and timber fires.
3614. Fine for seduction.
3615. Liquors and related property; definitions.
3616. Use of confiscated motor vehicles.
3617. Remission or mitigation of forfeitures under liquor laws; possession pending trial.
3618. Conveyances carrying liquor.

§ 3611. FIREARMS POSSESSED BY CONVICTED FELONS

A judgment of conviction for transporting a stolen motor vehicle in interstate or foreign commerce or for committing or attempting to commit a felony in violation of any law of the United States involving the use of threats, force, or violence or perpetrated in whole or in part by the use of firearms, may, in addition to the penalty provided by law for such offense, order the confiscation and disposal of firearms and ammunition found in the possession or under the immediate control of the defendant at the time of his arrest.

The court may direct the delivery of such firearms or ammunition to the law-enforcement agency which apprehended such person, for its use or for any other disposition in its discretion.

§ 3612. BRIBE MONEYS

Moneys received or tendered in evidence in any United States Court, or before any officer thereof, which have been paid to or received by any official as a bribe, shall, after the final disposition of the case, proceeding or investigation, be deposited in the registry of the court to be disposed of in accordance with the order of the court, to be subject, however, to the provisions of section 852 of Title 28.

§ 3613. FINES FOR SETTING GRASS AND TIMBER FIRES

Ante, p. 788.

In all cases arising under sections 1855 and 1856 of this title the fines collected shall be paid into the public-school fund of the county in which the lands where the offense was committed are situated.

§ 3614. FINE FOR SEDUCTION

Ante, p. 802.

When a person is convicted of a violation of section 2198 of this title and fined, the court may direct that the amount of the fine, when paid, be paid for the use of the female seduced, or her child, if she have any.

§ 3615. LIQUORS AND RELATED PROPERTY; DEFINITIONS

Ante, pp. 761, 762.

All liquor involved in any violation of sections 1261–1265 of this title, the containers of such liquor, and every vehicle or vessel used in the transportation thereof, shall be seized and forfeited and such property or its proceeds disposed of in accordance with the laws relating to seizures, forfeitures, and dispositions of property or proceeds, for violation of the internal-revenue laws.

"Vessel."

"Vehicle."

As used in this section, "vessel" includes every description of watercraft used, or capable of being used, as a means of transportation in water or in water and air; "vehicle" includes animals and every description of carriage or other contrivance used, or capable of being used, as a means of transportation on land or through the air.

§ 3616. USE OF CONFISCATED MOTOR VEHICLES

The Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of section 3116 of Title 26 and sections 781–788 of Title 49 and pay the cost of acquisition, maintenance, repair, and operation thereof.

§ 3617. REMISSION OR MITIGATION OF FORFEITURES UNDER LIQUOR LAWS; POSSESSION PENDING TRIAL—(a) JURISDICTION OF COURT

Whenever, in any proceeding in court for the forfeiture, under the internal-revenue laws, of any vehicle or aircraft seized for a violation of the internal-revenue laws relating to liquors, such forfeiture is decreed, the court shall have exclusive jurisdiction to remit or mitigate the forfeiture.

(b) CONDITIONS PRECEDENT TO REMISSION OR MITIGATION

In any such proceeding the court shall not allow the claim of any claimant for remission or mitigation unless and until he proves (1) that he has an interest in such vehicle or aircraft, as owner or otherwise, which he acquired in good faith, (2) that he had at no time any knowledge or reason to believe that it was being or would be used in the violation of laws of the United States or of any State relating to liquor, and (3) if it appears that the interest asserted by the claimant arises out of or is in any way subject to any contract or agreement under which any person having a record or reputation for violating laws of the United States or of any State relating to liquor has a right with respect to such vehicle or aircraft, that, before such claimant acquired his interest, or such other person acquired his right under such contract or agreement, whichever occurred later, the claimant, his officer or agent, was informed in answer to his inquiry, at the headquarters of the sheriff, chief of police, principal Federal internal-revenue officer

engaged in the enforcement of the liquor laws, or other principal local or Federal law-enforcement officer of the locality in which such other person acquired his right under such contract or agreement, of the locality in which such other person then resided, and of each locality in which the claimant has made any other inquiry as to the character or financial standing of such other person, that such other person had no such record or reputation.

(c) CLAIMANTS FIRST ENTITLED TO DELIVERY

Upon the request of any claimant whose claim for remission or mitigation is allowed and whose interest is first in the order of priority among such claims allowed in such proceeding and is of an amount in excess of, or equal to, the appraised value of such vehicle or aircraft, the court shall order its return to him; and, upon the joint request of any two or more claimants whose claims are allowed and whose interests are not subject to any prior or intervening interests claimed and allowed in such proceedings, and are of a total amount in excess of, or equal to, the appraised value of such vehicle or aircraft, the court shall order its return to such of the joint requesting claimants as is designated in such request. Such return shall be made only upon payment of all expenses incident to the seizure and forfeiture incurred by the United States. In all other cases the court shall order disposition of such vehicle or aircraft as provided in sections 304f–304m of Title 40, and if such disposition be by public sale, payment from the proceeds thereof, after satisfaction of all such expenses, of any such claim in its order of priority among the claims allowed in such proceedings.

Payment of expenses incident to seizure, etc.

(d) DELIVERY ON BOND PENDING TRIAL

In any proceeding in court for the forfeiture under the internal-revenue laws of any vehicle or aircraft seized for a violation of the internal-revenue laws relating to liquor, the court shall order delivery thereof to any claimant who shall establish his right to the immediate possession thereof, and shall execute, with one or more sureties approved by the court, and deliver to the court, a bond to the United States for the payment of a sum equal to the appraised value of such vehicle or aircraft. Such bond shall be conditioned to return such vehicle or aircraft at the time of the trial and to pay the difference between the appraised value of such vehicle or aircraft as of the time it shall have been so released on bond and the appraised value thereof as of the time of trial; and conditioned further that, if the vehicle or aircraft be not returned at the time of trial, the bond shall stand in lieu of, and be forfeited in the same manner as, such vehicle or aircraft. Notwithstanding this subsection or any other provisions of law relating to the delivery of possession on bond of vehicles or aircraft sought to be forfeited under the internal-revenue laws, the court may, in its discretion and upon good cause shown by the United States, refuse to order such delivery of possession.

Nondelivery of possession upon good cause.

§ 3618. CONVEYANCES CARRYING LIQUOR

Any conveyance, whether used by the owner or another in introducing or attempting to introduce intoxicants into the Indian country, or into other places where the introduction is prohibited by treaty or enactment of Congress, shall be subject to seizure, libel, and forfeiture.

CHAPTER 231.—PROBATION

Sec.

3651. Suspension of sentence and probation.
3652. Probation—Rule.
3653. Report of probation officer and arrest of probationer.
3654. Appointment and removal of probation officers.
3655. Duties of probation officers.
3656. Duties of Director of Administrative Office of the United States Courts.

§ 3651. SUSPENSION OF SENTENCE AND PROBATION

Upon entering a judgment of conviction of any offense not punishable by death or life imprisonment, any court having jurisdiction to try offenses against the United States, except in the District of Columbia, when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may suspend the imposition or execution of sentence and place the defendant on probation for such period and upon such terms and conditions as the court deems best.

Probation may be granted whether the offense is punishable by fine or imprisonment or both. If an offense is punishable by both fine and imprisonment, the court may impose a fine and place the defendant on probation as to imprisonment. Probation may be limited to one or more counts or indictments, but, in the absence of express limitation, shall extend to the entire sentence and judgment.

The court may revoke or modify any condition of probation, or may change the period of probation.

The period of probation, together with any extension thereof, shall not exceed five years.

While on probation and among the conditions thereof, the defendant—

May be required to pay a fine in one or several sums; and

May be required to make restitution or reparation to aggrieved parties for actual damages or loss caused by the offense for which conviction was had; and

May be required to provide for the support of any persons, for whose support he is legally responsible.

The defendant's liability for any fine or other punishment imposed as to which probation is granted, shall be fully discharged by the fulfillment of the terms and conditions of probation.

§ 3652. PROBATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Probation as provided by law, Rule 32 (e).
Presentence investigation, Rule 32 (c).

§ 3653. REPORT OF PROBATION OFFICER AND ARREST OF PROBATIONER

When directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

Arrest during probation period.

At any time within the probation period the probation officer may, without a warrant, arrest the probationer wherever found. At any time within the probation period, or within five years after the expiration of the probation period, for violation of probation occurring during the probation period, the court which granted probation may issue a warrant for the probationer's arrest. The warrant may be executed either by the probation officer or the United States marshal for either the district in which the probationer was placed upon probation or for any district in which he is found. If the probationer is arrested in a district other than that in which he was placed upon probation, the officer making the arrest may return him to the district in which the warrant was issued.

Such probationer shall forthwith be taken before the court and the court may revoke the probation and require him to serve the sentence imposed, or any lesser sentence, and, if imposition of sentence was suspended, may impose any sentence which might originally have been imposed.

§ 3654. APPOINTMENT AND REMOVAL OF PROBATION OFFICERS

Any court having original jurisdiction to try offenses against the United States, except in the District of Columbia, may appoint one or more suitable persons to serve as probation officers within the jurisdiction and under the direction of the court making such appointment.

All such probation officers shall serve without compensation except that in case it shall appear to the court that the needs of the service require that there should be salaried probation officers, such court may appoint such officers.

Such court may in its discretion remove a probation officer serving in such court.

The appointment of a probation officer shall be in writing and shall be entered on the records of the court, and a copy of the order of appointment shall be delivered to the officer so appointed and a copy sent to the Director of the Administrative Office of the United States Courts.

Chief probation officer.

Whenever such court shall have appointed more than one probation officer, one may be designated chief probation officer and shall direct the work of all probation officers serving in such court.

§ 3655. DUTIES OF PROBATION OFFICERS

The probation officer shall furnish to each probationer under his supervision a written statement of the conditions of probation and shall instruct him regarding the same.

He shall keep informed concerning the conduct and condition of each probationer under his supervision and shall report thereon to the court placing such person on probation.

He shall use all suitable methods, not inconsistent with the conditions imposed by the court, to aid probationers and to bring about improvements in their conduct and condition.

He shall keep records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision; shall give receipts therefor, and shall make at least monthly returns thereof; shall make such reports to the Director of the Administrative Office of the United States Courts as he may at any time require; and shall perform such other duties as the court may direct.

Each probation officer shall perform such duties with respect to persons on parole as the Attorney General shall request.

§ 3656. DUTIES OF DIRECTOR OF ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

The Director of the Administrative Office of the United States Courts, or his authorized agent, shall investigate the work of the probation officers and make recommendations concerning the same to the respective judges and shall have access to the records of all probation officers.

He shall collect for publication statistical and other information concerning the work of the probation officers.

He shall prescribe record forms and statistics to be kept by the probation officers and shall formulate general rules for the proper conduct of the probation work.

He shall endeavor by all suitable means to promote the efficient administration of the probation system and the enforcement of the probation laws in all United States courts.

He shall, under the supervision of the Judicial Conference of the United States, fix the salaries of probation officers and shall provide for their necessary expenses including clerical service and travel expenses.

He shall incorporate in his annual report a statement concerning the operation of the probation system in such courts.

CHAPTER 233.—CONTEMPTS

Sec.

3691. Jury trial of criminal contempts.
3692. Jury trial for contempt in labor dispute cases.
3693. Summary disposition or jury trial; notice—Rule.

§ 3691. JURY TRIAL OF CRIMINAL CONTEMPTS

Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any district court of the United States by doing or omitting any act or thing in violation thereof, and the act or thing done or omitted also constitutes a criminal offense under any Act of Congress, or under the laws of any state in which it was done or omitted, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in other criminal cases.

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

§ 3692. JURY TRIAL FOR CONTEMPT IN LABOR DISPUTE CASES

In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court.

§ 3693. SUMMARY DISPOSITION OR JURY TRIAL; NOTICE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Summary punishment; certificate of judge; order; notice; jury trial; bail; disqualification of judge, Rule 42.

CHAPTER 235.—APPEAL

Sec.

3731. Appeal by United States.
3732. Taking of appeal; notice; time—Rule.
3733. Assignment of errors—Rule.
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3735. Bail on appeal or certiorari—Rule.
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§ 3731. APPEAL BY UNITED STATES

Appeals to Supreme Court.

An appeal may be taken by and on behalf of the United States from the district courts direct to the Supreme Court of the United States in all criminal cases in the following instances:

From a decision or judgment setting aside, or dismissing any indictment or information, or any count thereof, where such decision or judgment is based upon the validity or construction of the statute upon which the indictment or information is founded.

From a decision arresting a judgment of conviction for insufficiency of the indictment or information, where such decision is based upon

the invalidity or construction of the statute upon which the indictment or information is founded.

From the decision or judgment sustaining a motion in bar, when the defendant has not been put in jeopardy.

Appeals to circuit court of appeals or U. S. Court of Appeals for D. C.

An appeal may be taken by and on behalf of the United States from the district courts to a circuit court of appeals or the United States Court of Appeals for the District of Columbia, as the case may be, in all criminal cases, in the following instances:

From a decision or judgment setting aside, or dismissing any indictment or information, or any count thereof except where a direct appeal to the Supreme Court of the United States is provided by this section.

From a decision arresting a judgment of conviction except where a direct appeal to the Supreme Court of the United States is provided by this section.

The appeal in all such cases shall be taken within thirty days after the decision or judgment has been rendered and shall be diligently prosecuted.

Bail.

Pending the prosecution and determination of the appeal in the foregoing instances, the defendant shall be admitted to bail on his own recognizance.

If an appeal shall be taken, pursuant to this section, to the Supreme Court of the United States which, in the opinion of that Court, should have been taken to a circuit court of appeals, or the United States Court of Appeals for the District of Columbia, the Supreme Court of the United States shall remand the case to the circuit court of appeals or the United States Court of Appeals for the District of Columbia, as the case may be, which shall then have jurisdiction to hear and determine the same as if the appeal had been taken to that court in the first instance.

If an appeal shall be taken pursuant to this section to any circuit court of appeals or to the United States Court of Appeals for the District of Columbia, which, in the opinion of such court, should have been taken directly to the Supreme Court of the United States, such court shall certify the case to the Supreme Court of the United States, which shall thereupon have jurisdiction to hear and determine the case to the same extent as if an appeal had been taken directly to that Court.

§ 3732. TAKING OF APPEAL; NOTICE; TIME—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Taking appeal; notice, contents, signing; time, Rule 37 (a).

§ 3733. ASSIGNMENT OF ERRORS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Assignments of error on appeal abolished, Rule 37 (a) (1). Necessity of specific objection in order to assign error in instructions, Rule 30.

§ 3734. BILL OF EXCEPTIONS ABOLISHED—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Exceptions abolished, Rule 51.
Bill of exceptions not required, Rule 37 (a) (1).

§ 3735. BAIL ON APPEAL OR CERTIORARI—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Bail on appeal or certiorari; application, Rules 38 (c) and 46 (a) (2).

§ 3736. CERTIORARI—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Petition to Supreme Court, time, Rule 37 (b).

§ 3737. RECORD—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Preparation, form; typewritten record, Rule 39 (b).
Exceptions abolished, Rule 51.
Bill of exceptions unnecessary, Rule 37 (a) (1).

§ 3738. DOCKETING APPEAL AND RECORD—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Filing record on appeal and docketing proceeding; time, Rule 39 (c).

§ 3739. SUPERVISION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Control and supervision in appellate court, Rule 39 (a).

§ 3740. ARGUMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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CHAPTER 237.—RULES OF CRIMINAL PROCEDURE

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3771. Procedure to and including verdict.
3772. Procedure after verdict.

§ 3771. PROCEDURE TO AND INCLUDING VERDICT

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in district courts of the United States, including the district courts of Alaska, Hawaii, Puerto Rico, Canal Zone, District of Columbia, and the Virgin Islands, in the Supreme Courts of Hawaii and Puerto Rico, and in proceedings before United States commissioners. Such rules shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session, and thereafter all laws in conflict therewith shall be of no further force and effect.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

§ 3772. PROCEDURE AFTER VERDICT

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of practice and procedure with respect to any or all proceedings after verdict, or finding of guilt by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt in district courts of the United States, including the District Courts of Alaska, Hawaii, Puerto Rico, Canal Zone, District of Columbia, and Virgin Islands, in the Supreme Courts of Hawaii, and Puerto Rico, in the United States Circuit Courts of Appeals, in the United States Court of Appeals for the District of Columbia, and in the Supreme Court of the United States. This section shall not give the Supreme Court power to abridge the right of the accused to apply for withdrawal

of a plea of guilty, if such application he made within ten days after entry of such plea, and before sentence is imposed.

The right of appeal shall continue in those cases in which appeals are authorized by law, but the rules made as herein authorized may prescribe the times for and manner of taking appeals and applying for writs of certiorari and preparing records and bills of exceptions and the conditions on which supersedeas or bail may be allowed.

The Supreme Court may fix the dates when such rules shall take effect and the extent to which they shall apply to proceedings then pending, and after they become effective all laws in conflict therewith shall be of no further force.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

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CHAPTER 301.—GENERAL PROVISIONS

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§ 4001. CONTROL BY ATTORNEY GENERAL

The control and management of Federal penal and correctional institutions, except military or naval institutions, shall be vested in the Attorney General, who shall promulgate rules for the government thereof, and appoint all necessary officers and employees in accordance with the civil-service laws, the Classification Act, as amended and the applicable regulations. 42 Stat. 1488. 5 U. S. C. §§ 661–674.

The Attorney General may establish and conduct industries, farms, and other activities and classify the inmates; and provide for their proper government, discipline, treatment, care, rehabilitation, and reformation.

§ 4002. FEDERAL PRISONERS IN STATE INSTITUTIONS; EMPLOYMENT

For the purpose of providing suitable quarters for the safekeeping, care, and subsistence of all persons held under authority of any enactment of Congress, the Director of the Bureau of Prisons may contract, for a period not exceeding three years, with the proper authorities of any State, Territory, or political subdivision thereof, for the imprisonment, subsistence, care, and proper employment of such persons.

Such Federal prisoners shall be employed only in the manufacture of articles for, the production of supplies for, the construction of public works for, and the maintenance and care of the institutions of, the State or political subdivision in which they are imprisoned.

The rates to be paid for the care and custody of said persons shall take into consideration the character of the quarters furnished, sani- Rates for care and custody.

tary conditions, and quality of subsistence and may be such as will permit and encourage the proper authorities to provide reasonably decent, sanitary, and healthful quarters and subsistence for such persons.

§ 4003. FEDERAL INSTITUTIONS IN STATES WITHOUT APPROPRIATE FACILITIES

If by reason of the refusal or inability of the authorities having control of any jail, workhouse, penal, correctional, or other suitable institution of any State or Territory, or political subdivision thereof, to enter into a contract for the imprisonment, subsistence, care, or proper employment of United States prisoners, or if there are no suitable or sufficient facilities available at reasonable cost, the Attorney General may select a site either within or convenient to the State, Territory, or judicial district concerned and cause to be erected thereon a house of detention, workhouse, jail, prison-industries project, or camp, or other place of confinement, which shall be used for the detention of persons held under authority of any Act of Congress, and of such other persons as in the opinion of the Attorney General are proper subjects for confinement in such institutions.

§ 4004. OATHS AND ACKNOWLEDGEMENTS

The wardens and superintendents, and associate wardens and superintendents of Federal penal or correctional institutions may administer oaths to and take acknowledgements of officers, employees, and inmates of such institutions but shall not demand or accept any fee or compensation therefor.

§ 4005. MEDICAL RELIEF; EXPENSES

(a) Upon request of the Attorney General, the Federal Security Administrator shall detail regular and reserve commissioned officers of the Public Health Service, pharmacists, acting assistant surgeons, and other employees of the Public Health Service to the Department of Justice for the purpose of supervising and furnishing medical, psychiatric, and other technical and scientific services to the Federal penal and correctional institutions.

(b) The compensation, allowances, and expenses of the personnel detailed under this section may be paid from applicable appropriations of the Public Health Service in accordance with the law and regulations governing the personnel of the Public Health Service, such appropriations to be reimbursed from applicable appropriations of the Department of Justice; or the Attorney General may make allotments of funds and transfer of credit to the Public Health Service in such amounts as are available and necessary, for payment of compensation, allowances, and expenses of personnel so detailed, in accordance with the law and regulations governing the personnel of the Public Health Service.

§ 4006. SUBSISTENCE FOR PRISONERS

The Attorney General shall allow and pay only the reasonable and actual cost of the subsistence of prisoners in the custody of any marshal of the United States, and shall prescribe such regulations for the government of the marshals as will enable him to determine the actual and reasonable expenses incurred.

§ 4007. EXPENSES OF PRISONERS

The expenses attendant upon the confinement of persons arrested or committed under the laws of the United States, as well as upon the execution of any sentence of a court thereof respecting them, shall be paid out of the Treasury of the United States in the manner provided by law.

§ 4008. TRANSPORTATION EXPENSES

Prisoners shall be transported by agents designated by the Attorney General or his authorized representative.

The reasonable expense of transportation, necessary subsistence, and hire and transportation of guards and agents shall be paid by the Attorney General from such appropriation for the Department of Justice as he shall direct.

Upon conviction by a consular court or court martial the prisoner shall be transported from the court to the place of confinement by agents of the Department of State, War, or the Navy, as the case may be, the expense to be paid out of the Treasury of the United States in the manner provided by law.

§ 4009. APPROPRIATIONS FOR SITES AND BUILDINGS

The Attorney General may authorize the use of a sum not to exceed $100,000 in each instance, payable from any unexpended balance of the appropriation "Support of United States prisoners" for the purpose of leasing or acquiring a site, preparation of plans, and erection of necessary buildings under section 4003 of this title.

Ante, p. 848.

If in any instance it shall be impossible or impracticable to secure a proper site and erect the necessary buildings within the above limitation the Attorney General may authorize the use of a sum not to exceed $10,000 in each instance, payable from any unexpended balance of the appropriation "Support of United States prisoners" for the purpose of securing options and making preliminary surveys or sketches.

Upon selection of an appropriate site the Attorney General shall submit to Congress an estimate of the cost of purchasing same and of remodeling, constructing, and equipping the necessary buildings thereon.

Submission of estimate to Congress.

CHAPTER 303.—BUREAU OF PRISONS

Sec.
4041. Bureau of Prisons; director and employees.
4042. Duties of Bureau of Prisons.

§ 4041. BUREAU OF PRISONS; DIRECTOR AND EMPLOYEES

The Bureau of Prisons shall be in charge of a director appointed by and serving directly under the Attorney General at a salary of $10,000 a year. The Attorney General may appoint such additional officers and employees as he deems necessary.

§ 4042. DUTIES OF BUREAU OF PRISONS

The Bureau of Prisons, under the direction of the Attorney General, shall—

(1) have charge of the management and regulation of all Federal penal and correctional institutions;

(2) provide suitable quarters and provide for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise;

(3) provide for the protection, instruction, and discipline of all persons charged with or convicted of offenses against the United States.

This section shall not apply to military or naval penal or correctional institutions or the persons confined therein.

CHAPTER 305.—COMMITMENT AND TRANSFER

Sec.
4081. Classification and treatment of prisoners.
4082. Commitment to Attorney General; transfer.
4083. Penitentiary imprisonment; consent.
4084. Copy of commitment delivered with prisoner.
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§ 4081. CLASSIFICATION AND TREATMENT OF PRISONERS

The Federal penal and correctional institutions shall be so planned and limited in size as to facilitate the development of an integrated system which will assure the proper classification and segregation of Federal prisoners according to the nature of the offenses committed, the character and mental condition of the prisoners, and such other factors as should be considered in providing an individualized system of discipline, care, and treatment of the persons committed to such institutions.

§ 4082. COMMITMENT TO ATTORNEY GENERAL; TRANSFER

Persons convicted of an offense against the United States shall be committed, for such terms of imprisonment as the court may direct, to the custody of the Attorney General of the United States or his authorized representative, who shall designate the places of confinement where the sentences shall be served.

The Attorney General may designate any available, suitable, and appropriate institutions, whether maintained by the Federal Government or otherwise, or whether within or without the judicial district in which the person was convicted.

The Attorney General may order any inmate transferred from one institution to another.

National Training School for Boys.

The authority conferred upon the Attorney General by this section shall extend to all persons committed to the National Training School for Boys.

§ 4083. PENITENTIARY IMPRISONMENT; CONSENT

Persons convicted of offenses against the United States or by courts-martial and sentenced to terms of imprisonment of more than one year may be confined in any United States penitentiary.

A sentence for an offense punishable by imprisonment for one year or less shall not be served in a penitentiary without the consent of the defendant.

§ 4084. COPY OF COMMITMENT DELIVERED WITH PRISONER

Whenever a prisoner is committed to a warden, sheriff or jailer by virtue of a writ, or warrant, a copy thereof shall be delivered to such officer as his authority to hold the prisoner, and the original shall be returned to the proper court or officer, with the officer's return endorsed thereon.

§ 4085. TRANSFER FOR STATE OFFENSE; EXPENSE

(a) Whenever any federal prisoner has been indicted, informed against, or convicted of a felony in a court of record of any State or the District of Columbia, the Attorney General shall, if he finds it in the public interest to do so, upon the request of the Governor or the executive authority thereof, and upon the presentation of a certified copy of such indictment, information or judgment of conviction, cause such person, prior to his release, to be transferred to a penal or correctional institution within such State or District.

If more than one such request is presented in respect to any prisoner, the Attorney General shall determine which request should receive preference.

The expense of personnel and transportation incurred shall be chargeable to the appropriation for the "Support of United States prisoners."

(b) This section shall not limit the authority of the Attorney General to transfer prisoners pursuant to other provisions of law.

§ 4086. TEMPORARY SAFE-KEEPING OF FEDERAL OFFENDERS BY MARSHALS

United States marshals shall provide for the safe-keeping of any person arrested, or held under authority of any enactment of Congress pending commitment to an institution.

CHAPTER 307.—EMPLOYMENT

Sec.

4121. Federal Prison Industries; board of directors.
4122. Administration of Federal Prison Industries.
4123. New industries.
4124. Purchase of prison-made products by Federal departments.
4125. Public works; prison camps.
4126. Prison Industries fund; use and settlement of accounts.
4127. Prison Industries report to Congress.
4128. Enforcement by Attorney General.

§ 4121. FEDERAL PRISON INDUSTRIES; BOARD OF DIRECTORS

"Federal Prison Industries", a government corporation of the District of Columbia, shall be administered by a board of five directors, appointed by the President to serve at the will of the President without compensation.

The directors shall be representatives of (1) industry, (2) labor, (3) agriculture, (4) retailers and consumers, and (5) the Attorney General, respectively.

§ 4122. ADMINISTRATION OF FEDERAL PRISON INDUSTRIES

Federal Prison Industries shall determine in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions for the production of commodities for consumption in such institutions or for sale to the departments or agencies of the United States, but not for sale to the public in competition with private enterprise.

Its board of directors shall provide employment for all physically fit inmates in the United States penal and correctional institutions, diversify, so far as practicable, prison industrial operations and so operate the prison shops that no single private industry shall be forced to bear an undue burden of competition from the products of the prison workshops, and to reduce to a minimum competition with private industry or free labor.

§ 4123. NEW INDUSTRIES

Any industry established under this chapter shall be so operated as not to curtail the production of any existing arsenal, navy yard, or other Government workshop.

Such forms of employment shall be provided as will give the inmates of all Federal penal and correctional institutions a maximum opportunity to acquire a knowledge and skill in trades and occupations which will provide them with a means of earning a livelihood upon release.

Location of industries.

The industries may be either within the precincts of any penal or correctional institution or in any convenient locality where an existing property may be obtained by lease, purchase, or otherwise.

§ 4124. PURCHASE OF PRISON-MADE PRODUCTS BY FEDERAL DEPARTMENTS

The several Federal departments and agencies and all other Government institutions of the United States shall purchase at not to exceed current market prices, such products of the industries authorized by this chapter as meet their requirements and may be available.

Arbitration of disputes.

Disputes as to the price, quality, character, or suitability of such products shall be arbitrated by a board consisting of the Comptroller General of the United States, the Director of the Bureau of Federal

Supply, Department of the Treasury, and the Director of the Bureau of the Budget, or their representatives. Their decision shall be final and binding upon all parties.

§ 4125. PUBLIC WORKS; PRISON CAMPS

(a) The Attorney General may make available to the heads of the several departments the services of United States prisoners under terms, conditions, and rates mutually agreed upon, for constructing or repairing roads, clearing, maintaining and reforesting public lands, building levees, and constructing or repairing any other public ways or works financed wholly or in major part by funds appropriated by Congress.

(b) The Attorney General may establish, equip, and maintain camps upon sites selected by him elsewhere than upon Indian reservations, and designate such camps as places for confinement of persons convicted of an offense against the laws of the United States.

(c) The expenses of transferring and maintaining prisoners at such camps and of operating such camps shall be paid from the appropriation "Support of United States prisoners", which may, in the discretion of the Attorney General, be reimbursed for such expenses.

(d) As part of the expense of operating such camps the Attorney General is authorized to provide for the payment to the inmates or their dependents such pecuniary earnings as he may deem proper, under such rules and regulations as he may prescribe.

(e) All other laws of the United States relating to the imprisonment, transfer, control, discipline, escape, release of, or in any way affecting prisoners, shall apply to prisoners transferred to such camps.

§ 4126. PRISON INDUSTRIES FUND; USE AND SETTLEMENT OF ACCOUNTS

All moneys under the control of Federal Prison Industries, or received from the sale of the products or by-products of such Industries, or for the services of federal prisoners, shall be deposited or covered into the Treasury of the United States to the credit of the Prison Industries Fund and withdrawn therefrom only pursuant to accountable warrants or certificates of settlement issued by the General Accounting Office.

All valid claims and obligations payable out of said fund shall be assumed by the corporation.

The corporation, in accordance with the laws generally applicable to the expenditures of the several departments and establishments of the government, is authorized to employ the fund, and any earnings that may accrue to the corporation, as operating capital in performing the duties imposed by this chapter; in the repair, alteration, erection and maintenance of industrial buildings and equipment; in paying, under rules and regulations promulgated by the Attorney General, compensation to inmates employed in any industry, or performing outstanding services in institutional operations, and compensation to inmates or their dependents for injuries suffered in any industry. In no event shall compensation be paid in a greater amount than that provided in the Federal Employees' Compensation Act.

Accounts of all receipts and disbursements of the corporation shall be rendered to the General Accounting Office for settlement and adjustment, as required by the Comptroller General.

Such accounting shall include all fiscal transactions of the corporation, whether involving appropriated moneys, capital, or receipts from other sources.

§ 4127. PRISON INDUSTRIES REPORT TO CONGRESS

The board of directors of Federal Prison Industries shall make annual reports to Congress on the conduct of the business of the corporation and on the condition of its funds.

§ 4128. ENFORCEMENT BY ATTORNEY GENERAL

In the event of any failure of Federal Prison Industries to act, the Attorney General shall not be limited in carrying out the duties conferred upon him by law.

CHAPTER 309.—GOOD TIME ALLOWANCES

Sec.
4161. Computation generally.
4162. Industrial good time.
4163. Discharge.
4164. Released prisoner as parolee.
4165. Forfeiture for offense.
4166. Restoration of forfeited commutation.

§ 4161. COMPUTATION GENERALLY

Each prisoner convicted of an offense against the United States and confined in a penal or correctional institution for a definite term other than for life, whose record of conduct shows that he has faithfully observed all the rules and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence beginning with the day on which the sentence commences to run, to be credited as earned and computed monthly as follows:

Five days for each month, if the sentence is not less than six months and not more than one year.

Six days for each month, if the sentence is more than one year and less than three years.

Seven days for each month, if the sentence is not less than three years and less than five years.

Eight days for each month, if the sentence is not less than five years and less than ten years.

Ten days for each month, if the sentence is ten years or more.

When two or more consecutive sentences are to be served, the aggregate of the several sentences shall be the basis upon which the deduction shall be computed.

§ 4162. INDUSTRIAL GOOD TIME

A prisoner may, in the discretion of the Attorney General, be allowed a deduction from his sentence of not to exceed three days for each month of actual employment in an industry or camp for the first year or any part thereof, and not to exceed five days for each month of any succeeding year or part thereof.

In the discretion of the Attorney General such allowance may also be made to a prisoner performing exceptionally meritorious service or performing duties of outstanding importance in connection with institutional operations.

Such allowance shall be in addition to commutation of time for good conduct, and under the same terms and conditions and without regard to length of sentence.

§ 4163. DISCHARGE

A prisoner shall be released at the expiration of his term of sentence less the time deducted for good conduct. A certificate of such deduction shall be entered on the commitment by the warden or keeper.

§ 4164. RELEASED PRISONER AS PAROLEE

A prisoner having served the term or terms for which he shall have been sentenced after June 29, 1932, less good time deductions, shall upon release be treated as if released on parole, and shall be subject to all provisions of law relating to the parole of United States prisoners until the expiration of the maximum term or terms for which he was sentenced.

This section shall not prevent delivery of a prisoner to the authorities of any State otherwise entitled to his custody.

§ 4165. FORFEITURE FOR OFFENSE

If during the term of imprisonment a prisoner commits any offense or violates the rules of the institution, all or any part of his earned good time may be forfeited.

§ 4166. RESTORATION OF FORFEITED COMMUTATION

The Attorney General may restore any forfeited or lost good time or such portion thereof as he deems proper upon recommendation of the Director of the Bureau of Prisons.

CHAPTER 311.—PAROLE

Sec.

4201. Board of Parole; members; salaries.
4202. Prisoners eligible.
4203. Application and release; terms and conditions.
4204. Aliens.
4205. Retaking parole violator under warrant; time to serve undiminished.
4206. Officer executing warrant to retake parole violator.
4207. Revocation upon retaking parolee.

§ 4201. BOARD OF PAROLE; MEMBERS; SALARIES

A Board of Parole, consisting of five members, shall be appointed by the Attorney General, at a salary of $7,500 each per annum.

§ 4202. PRISONERS ELIGIBLE

A Federal prisoner, other than a juvenile delinquent, wherever confined and serving a definite term or terms of over one year, whose record shows that he has observed the rules of the institution in which he is confined, may be released on parole after serving one-third of such term or terms or after serving fifteen years of a life sentence.

§ 4203. APPLICATION AND RELEASE; TERMS AND CONDITIONS

(a) If it appears to the Board of Parole from a report by the proper institutional officers or upon application by a prisoner eligible for release on parole, that there is a reasonable probability that such prisoner will live and remain at liberty without violating the laws, and if in the opinion of the Board such release is not incompatible with the welfare of society, the Board may in its discretion authorize the release of such prisoner on parole.

Such parolee shall be allowed in the discretion of the Board, to return to his home, or to go elsewhere, upon such terms and conditions, including personal reports from such paroled person, as the Board shall prescribe, and to remain, while on parole, in the legal custody and under the control of the Attorney General, until the expiration of the maximum term or terms for which he was sentenced.

Each order of parole shall fix the limits of the parolee's residence which may be changed in the discretion of the Board.

(b) The parole of any prisoner sentenced before June 29, 1932, shall be for the remainder of the term or terms specified in his sentence, less good time allowances provided by law.

§ 4204. ALIENS

When an alien prisoner subject to deportation becomes eligible for parole, the Board of Parole may authorize his release on condition that he be deported and remain outside the United States.

Such prisoner, when his parole becomes effective, shall be delivered to the duly authorized immigration official for deportation.

§ 4205. RETAKING PAROLE VIOLATOR UNDER WARRANT; TIME TO SERVE UNDIMINISHED

A warrant for the retaking of any United States prisoner who has violated his parole, may be issued only by the Board of Parole or a

member thereof and within the maximum term or terms for which he was sentenced. The unexpired term of imprisonment of any such prisoner shall begin to run from the date he is returned to the custody of the Attorney General under said warrant, and the time the prisoner was on parole shall not diminish the time he was sentenced to serve.

§ 4206. OFFICER EXECUTING WARRANT TO RETAKE PAROLE VIOLATOR

Any officer of any Federal penal or correctional institution, or any Federal officer authorized to serve criminal process within the United States, to whom a warrant for the retaking of a parole violator is delivered, shall execute such warrant by taking such prisoner and returning him to the custody of the Attorney General.

§ 4207. REVOCATION UPON RETAKING PAROLEE

A prisoner retaken upon a warrant issued by the Board of Parole, shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board.

The Board may then, or at any time in its discretion, revoke the order of parole and terminate such parole or modify the terms and conditions thereof.

If such order of parole shall be revoked and the parole so terminated, the said prisoner may be required to serve all or any part of the remainder of the term for which he was sentenced.

CHAPTER 313.—MENTAL DEFECTIVES

Sec.

4241. Examination and transfer to hospital.
4242. Retransfer upon recovery.
4243. Delivery to state authorities.

§ 4241. EXAMINATION AND TRANSFER TO HOSPITAL

A board of examiners for each Federal penal and correctional institution shall consist of (1) a medical officer appointed by the warden or superintendent of the institution; (2) a medical officer appointed by the Attorney General; and (3) a competent expert in mental diseases appointed by the Surgeon General of the United States Public Health Service.

Such board shall examine any inmate of the institution alleged to be insane or of unsound mind or otherwise defective and report their findings and the facts on which they are based to the Attorney General.

The Attorney General, upon receiving such report, may direct the warden or superintendent or other official having custody of the prisoner to cause such prisoner to be removed to the United States hospital for defective delinquents or to any other institution authorized by law to receive insane persons charged with or convicted of offenses against the United States, there to be kept until, in the judgment of the superintendent of said hospital, the prisoner shall be restored to sanity or health or until the maximum sentence, without deduction for good time or commutation of sentence, shall have been served.

§ 4242. RETRANSFER UPON RECOVERY

An inmate of the United States hospital for defective delinquents whose sanity or health is restored prior to the expiration of his sentence may be retransferred to any penal or correctional institution designated by the Attorney General, there to remain pursuant to the original sentence, computing the time of his detention or confinement in said hospital as part of the term of his imprisonment.

§ 4243. DELIVERY TO STATE AUTHORITIES ON EXPIRATION OF SENTENCE

The superintendent of the United States hospital for defective delinquents shall notify the proper authorities of the State, Territory, District, or Possession where any insane prisoner has his legal residence, or, if this cannot be ascertained, the proper authorities of the State,

Territory, District, or Possession from which he was committed, of the date of expiration of sentence of any prisoner who, in the judgment of such superintendent, is still insane or a menace to the public. Such superintendent shall cause such prisoner to be delivered into the custody of the proper authorities of such State, Territory, District or Possession.

CHAPTER 315.—DISCHARGE AND RELEASE PAYMENTS

Sec.
4281. Discharge from prison.
4282. Arrested but unconvicted persons.
4283. Probation.

§ 4281. DISCHARGE FROM PRISON

Transportation upon discharge.

A person convicted under the laws of the United States shall, upon discharge from imprisonment, or release on parole, be furnished with transportation to the place of conviction or bona fide residence within the United States at the time of his commitment or to such place within the United States as may be authorized by the Attorney General.

Clothing and money.

He shall also be furnished with such suitable clothing as may be authorized by the Attorney General, and, in the discretion of the Attorney General, an amount of money not to exceed $30.

§ 4282. ARRESTED BUT UNCONVICTED PERSONS

On the release from custody of a person arrested on a charge of violating any law of the United States or of the Territory of Alaska, but not indicted nor informed against, or indicted or informed against but not convicted, and not admitted to bail, or a person held as a material witness and unable to make bail, the court in its discretion may direct the United States marshal for the district wherein he is released, pursuant to regulations promulgated by the Attorney General, to furnish the person so released with transportation and subsistence to the place of his arrest, or, at his election, to the place of his bona fide residence if such cost is not greater than to the place of arrest.

§ 4283. PROBATION

A court of the United States when placing a defendant on probation, may direct the United States marshal to furnish the defendant with transportation to the place to which the defendant is required to proceed under the terms of his probation and, in addition, may also direct the marshal to furnish the defendant with an amount of money, not to exceed $30, for subsistence expense to his destination. In such event, such expenses shall be paid by the marshal.

CHAPTER 317.—INSTITUTIONS FOR WOMEN

Sec.
4321. Board of Advisers.

§ 4321. BOARD OF ADVISERS

Four citizens of the United States of prominence and distinction, appointed by the President to serve without compensation, for terms of four years, together with the Attorney General of the United States, the Director of the Bureau of Prisons and the warden of the Federal Reformatory for Women, shall constitute a Board of Advisers of said Federal Reformatory for Women, which shall recommend ways and means for the discipline and training of the inmates, to fit them for suitable employment upon their parole or discharge.

Any person chosen to fill a vacancy shall be appointed only for the unexpired term of the citizen whom he shall succeed.

PART IV—CORRECTION OF YOUTHFUL OFFENDERS

Chapter Sec.
401. General provisions 5001
403. Juvenile delinqency 5031

CHAPTER 401.—GENERAL PROVISIONS

Sec.
5001. Surrender to state authorities; expenses.

§ 5001. SURRENDER TO STATE AUTHORITIES; EXPENSES

Whenever any person under twenty-one years of age has been arrested, charged with the commission of an offense punishable in any court of the United States or of the District of Columbia, and, after investigation by the Department of Justice, it appears that such person has committed an offense or is a delinquent under the laws of any State or of the District of Columbia which can and will assume jurisdiction over such juvenile and will take him into custody and deal with him according to the laws of such State or of the District of Columbia, and that it will be to the best interest of the United States and of the juvenile offender, the United States attorney of the district in which such person has been arrested may forego his prosecution and surrender him as herein provided.

The United States marshal of such district upon written order of the United States attorney shall convey such person to such State or the District of Columbia, or, if already therein, to any other part thereof and deliver him into the custody of the proper authority thereof.

Before any person is conveyed from one State to another or from or to the District of Columbia under this section, he shall signify his willingness to be so returned, or there shall be presented to the United States attorney a demand from the executive authority of such State or the District of Columbia, to which the prisoner is to be returned, supported by indictment or affidavit as perscribed by section 3182 of this title. *Ante*, p. 822.

The expense incident to the transportation of any such person, as herein authorized, shall be paid from the appropriation "Salaries, Fees, and Expenses, United States Marshals."

CHAPTER 403.—JUVENILE DELINQUENCY

Sec.
5031. Definitions.
5032. Proceeding against juvenile delinquent.
5033. Jurisdiction; written consent; jury trial precluded.
5034. Probation; commitment to custody of Attorney General; support.
5035. Arrest, detention and bail.
5036. Contracts for support; payment.
5037. Parole.

§ 5031. DEFINITIONS

For the purposes of this chapter a "juvenile" is a person who has not attained his eighteenth birthday, and "juvenile delinquency" is the violation of a law of the United States committed by a juvenile and not punishable by death or life imprisonment. "Juvenile." "Juvenile delinquency."

§ 5032. PROCEEDING AGAINST JUVENILE DELINQUENT

A juvenile alleged to have committed one or more acts in violation of a law of the United States not punishable by death or life imprisonment, and not surrendered to the authorities of a state, shall be proceeded against as a juvenile delinquent if he consents to such procedure, unless the Attorney General, in his discretion, has expressly directed otherwise.

In such event the juvenile shall be proceeded against by information and no criminal prosecution shall be instituted for the alleged violation.

§ 5033. JURISDICTION; WRITTEN CONSENT; JURY TRIAL PRECLUDED

District Courts of the United States shall have jurisdiction of proceedings against juvenile delinquents. For such purposes, the court may be convened at any time and place within the district, in chambers or otherwise. The proceeding shall be without a jury. The consent

required to be given by the juvenile shall be given by him in writing before a Judge of the District Court of the United States having cognizance of the alleged violation, who shall fully apprise the juvenile of his rights and of the consequences of such consent. Such consent shall be deemed a waiver of a trial by jury.

§ 5034. PROBATION; COMMITMENT TO CUSTODY OF ATTORNEY GENERAL; SUPPORT

If the court finds a juvenile to be a delinquent, it may place him on probation for a period not exceeding his minority, or commit him to the custody of the Attorney General for a like period.

Such commitment shall not exceed the term which might have been imposed had he been tried and convicted of the alleged violation.

Designation of agency or foster home.

The Attorney General may designate any public or private agency or foster home for the custody, care, subsistence, education, and training of the juvenile during the period for which he was committed.

The cost of such custody and care may be paid from the appropriation for "Support of United States prisoners" or such other appropriation as the Attorney General may designate.

§ 5035. ARREST, DETENTION AND BAIL

Whenever a juvenile is arrested for an illeged violation of any law of the United States, the arresting officer shall immediately notify the Attorney General.

If the juvenile is not forthwith taken before a committing magistrate, he may be detained in such juvenile home or other suitable place of detention as the Attorney General may designate for such purposes, but shall not be detained in a jail or similar place of detention, unless, in the opinion of the arresting officer, such detention is necessary to secure the custody of the juvenile, or to insure his safety or that of others.

Period of detention.

In no case shall such detention be for a longer period than is necessary to produce the juvenile before a committing magistrate.

The committing magistrate may release the juvenile on bail, upon his own recognizance or that of some responsible person, or in default of bail may commit him to the custody of the United States marshal, who shall lodge him in such juvenile home or other suitable place of detention as the Attorney General may designate for that purpose.

The juvenile shall not be committed to a jail or other similar institution, unless in the opinion of the marshal it appears that such commitment is necessary to secure the custody of the juvenile or to insure his safety or that of others.

Segregation of juveniles from adults.

A juvenile detained in a jail or similar institution shall be held in custody in a room or other place apart from adults if facilities for such segregation are available.

§ 5036. CONTRACTS FOR SUPPORT; PAYMENT

The Director of the Bureau of Prisons may contract with public or private agencies or foster homes for the custody, care, subsistence, education, and training of juvenile delinquents and may defray the cost of such custody, care, subsistence, education, and training from the appropriation for "Support of United States prisoners" or such other appropriation as the Attorney General may designate.

§ 5037. PAROLE

A juvenile delinquent who has been committed and who, by his conduct, has given sufficient evidence that he has reformed, may be released on parole at any time under such conditions and regulations as the Board of Parole deems proper if it shall appear to the satisfaction of such Board that there is reasonable probability that the juvenile will remain at liberty without violating the law.

SEC. 2. Section 4611 of the Revised Statutes, as amended (46 U. S. C., section 712), is further amended to read as follows:

Cruelty to seamen. Surrender of officer. *Ante*, p. 800.

"SEC. 4611. Whenever any officer of a vessel of the United States, other than the master thereof, violates section 2191 of Title 18, the master shall, if he has actual knowledge of the offense or if complaint be made within three days after reaching port, surrender such officer to the proper authorities. Any failure on the part of such master to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel or the owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer."

SEC. 3. The fourteenth paragraph of section 17 of the Act of August 1, 1914 (chapter 222, 38 Stat. 601; 25 U. S. C., section 86), is amended to read as follows:

Five Civilized Tribes. Nonencumbrance of certain land.

"Land allotted to any applicant for enrollment as a citizen in the Five Civilized Tribes whether an Indian or freedman, shall not be affected or encumbered by any deed, debt, or obligation of any character contracted prior to the time at which said land may be alienated under the laws of the United States: *Provided further*, That the interest accruing from tribal funds and deposited in banks in the State of Oklahoma may be used as authorized by the Act of March third, nineteen hundred and eleven, under the direction of the Secretary of the Interior, to defray the expense of per capita payments authorized by Congress."

Use of interest.

36 Stat. 1058.

SEC. 4. Subsection (f) of section 514 of the Act of February 16, 1938, chapter 30 (52 Stat. 77; 7 U. S. C., section 1514 (f)), is amended to read as follows:

Crop insurance agreements.

"(f) The provisions of section 3741 of the Revised Statutes, as amended (41 U. S. C., section 22), shall not apply to any crop insurance agreements made under this title."

SEC. 5. Section 510 of the Act approved July 1, 1944 (chapter 373, 58 Stat. 711; 42 U. S. C., section 228), is amended to read as follows:

"WEARING OF UNIFORMS

Public Health Service.

"SEC. 510. Except as may be authorized by regulations of the President, the insignia and uniform of commissioned officers of the Service, or any distinctive part of such insignia or uniform, or any insignia or uniform any part of which is similar to a distinctive part thereof, shall not be worn, after the promulgation of such regulations, by any person other than a commissioned officer of the Service."

1 U. S. C., Supp. I, § 1.

SEC. 6. Section 1 of Title 1 of the United States Code is amended to read as follows:

Rules of construction for Acts of Congress.

"In determining the meaning of any Act of Congress, unless the context indicates otherwise—

"words importing the singular include and apply to several persons, parties, or things;

"words importing the plural include the singular;

"words importing the masculine gender include the feminine as well;

"words use in the present tense include the future as well as the present;

"the words 'insane' and 'insane person' and 'lunatic' shall include every idiot, lunatic, insane person, and person non compos mentis;

"the words 'person' and 'whoever' include corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals;

" 'officer' includes any person authorized by law to perform the duties of the office;

"'signature' or 'subscription' includes a mark when the person making the same intended it as such;

"'oath' includes affirmation, and 'sworn' includes affirmed;

"'writing' includes printing and typewriting and reproductions of visual symbols by photographing, multigraphing, mimeographing, manifolding, or otherwise."

SEC. 7. Section 14 of the Act approved June 18, 1929, chapter 28 (46 Stat. 25; 39 U. S. C., sec. 337), is amended to read as follows:

Census Office. Transmission of mail matter.

"SEC. 14. That all mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed 'Official business, Census Office', shall be transmitted free of postage, and by registered mail if necessary, and so marked."

SEC. 8. Section 2 of the Act approved January 24, 1905, chapter 137 (33 Stat. 614; 16 U. S. C., sec. 685, part), is amended to read as follows:

Wichita Forest Reserve.

"SEC. 2. That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of the Interior."

SEC. 9. Section 2 of the Act approved June 29, 1906, chapter 3593 (34 Stat. 607; 16 U. S. C., sec. 685, part), is amended to read as follows:

Grand Canyon Forest Reserve.

"SEC. 2. That when such areas have been designated as provided in section one of this Act, hunting, trapping, killing, or capturing of game animals upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture."

SEC. 10. The paragraph immediately preceding "Part A" of the Act approved August 11, 1916, ch. 313, 39 Stat. 446, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes", said paragraph appearing as the first full paragraph on page 476 of said volume 39 of the United States Statutes at Large, and being section 683 of Title 16 of the United States Code, is amended to read as follows:

Areas for protection of game animals, birds, or fish.

"That the President of the United States is hereby authorized to designate such areas on any lands which have been, or which may hereafter be, purchased by the United States under the provisions of the Act of March first, nineteen hundred and eleven (Thirty-six Statutes at Large, page nine hundred and sixty-one), entitled 'An Act to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable streams', and Acts supplementary thereto and amendatory thereof, as should, in his opinion, be set aside for the protection of game animals, birds, or fish; and, except under such rules and regulations as the Secretary of Agriculture may from time to time prescribe, it shall be unlawful for any person to hunt, catch, trap, willfully disturb or kill any kind of game animal, game or nongame bird, or fish, or take the eggs of any such bird on any lands so set aside, or in or on the waters thereof."

16 U. S. C. §§ 513-519, 521.

SEC. 11. Section 2 of the Act approved June 5, 1920, chapter 247 (41 Stat. 986; 16 U. S. C., sec. 676, part), is amended to read as follows:

Custer State Park Game Sanctuary. 41 Stat. 986. 16 U. S. C. § 675.

"SEC. 2. That when such areas have been designated as provided for in section 1 of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture."

SEC. 12. The Act approved February 28, 1925, chapter 376 (43 Stat. 1091; 16 U. S. C., sec. 682), as amended, is amended to read as follows:

Game refuge in Ozark National Forest.

"That the President of the United States is hereby authorized to designate such national forest lands within the Ozark National Forest, within the State of Arkansas, as should, in his discretion, be set aside for the protection of game animals, birds, or fish; and, except under such rules and regulations as the Secretary of Agriculture may from time to time prescribe, it shall be unlawful for any person to hunt, catch, trap, willfully disturb, or kill any kind of game animal, game or nongame bird, or fish, or take the eggs of any such bird on any lands so set aside, or in or on the waters thereof."

SEC. 13. Section 6 of the Act approved July 3, 1926, chapter 744 (44 Stat. 821; 16 U. S. C., sec. 688), is amended to read as follows:

Sequoia National Game Refuge.

"SEC. 6. That all parts of township 17 south, ranges 31 and 32 east, and township 18 south, range 31 east, Mount Diablo base and meridian, which are north of the hydrographic divide passing through Farewell Gap, and which are not added to and made part of the Sequoia National Park by the provisions of this Act, are hereby designated as the Sequoia National Game Refuge, and the hunting, trapping, killing, or capturing of birds and game or other wild animals upon the lands of the United States within the limits of the said area shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture: *Provided*, That it is the purpose of this section to protect from trespass the public lands of the United States and the game animals which may be thereon, and not to interfere with the operation of the local game laws as affecting private or State lands: *Provided further*, That the lands included in said game refuge shall continue to be parts of the Sequoia National Forest and nothing contained in this section shall prevent the Secretary of Agriculture from permitting other uses of said lands under and in conformity with the laws and rules and regulations applicable thereto so far as may be consistent with the purposes for which said game refuge is established."

SEC. 14. Section 3 of the Act approved July 3, 1926, chapter 776 (44 Stat. 889; 16 U. S. C., sec. 689b), is amended to read as follows:

Tahquitz National Game Preserve.
44 Stat. 889.
16 U. S. C. § 689a.

"SEC. 3. On lands within the game preserve established in section 2 of this Act, hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, kill, or capture any wild animals or birds for any purpose whatever upon the lands of the United States within the limits of said game preserve shall be unlawful except as hereinafter provided."

SEC. 15. Section 2 of the Act approved June 28, 1930, chapter 709 (46 Stat. 828; 16 U. S. C., sec. 692a), is amended to read as follows:

Ocala National Forest game sanctuaries.
46 Stat. 827.
16 U. S. C. § 692.

SEC. 2. That when such game sanctuaries or refuges have been established as provided in section 1 hereof, the hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, kill, or capture any game animals or birds upon the lands of the United States within the limits of such game sanctuaries or refuges shall be unlawful except under such rules and regulations as the Secretary of Agriculture may from time to time prescribe."

SEC. 16. Section 2 of the Act approved March 10, 1934, chapter 54 (48 Stat. 400, 401; 16 U. S. C., sec. 694a), is amended to read as follows:

Fish and game sanctuaries in national forests.
48 Stat. 400.
16 U. S. C. § 694.

"SEC. 2. That when such fish and game sanctuaries or refuges have been established as provided in section 1 of this Act, hunting, pursuing, poisoning, angling for, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, angle for, kill, or capture any wild animals or fish for any purpose whatever upon the lands of the United States within the limits of said fish and game sanctuaries or refuges shall be unlawful except as hereinafter provided."

SEC. 17. The first sentence of section 8 (now codified in sections 156a and 171 of Title 46 U. S. C.) of the Act approved August 2, 1882, Chapter 374 (22 Stat. 189), is amended to read as follows:

Transportation of animals by certain vessels.

"Horses, cattle, or other animals taken on board of or brought in any such vessel shall not be carried on any deck below the deck on which passengers are berthed, nor in any compartment in which passengers are berthed, nor in any adjoining compartment except in a vessel built of iron and of which the compartments are divided off by watertight bulkheads extending to the upper deck."

Ante, p. 683.

SEC. 18. If any part of Title 18, Crimes and Criminal Procedure, as set out in section 1 of this Act, shall be held invalid the remainder shall not be affected thereby.

SEC. 19. No inference of a legislative construction is to be drawn by reason of the chapter in Title 18, Crimes and Criminal Procedure, as set out in section 1 of this Act, in which any particular section is placed, nor by reason of the catchlines used in such title.

Effective date.

SEC. 20. This Act shall take effect September 1, 1948.

Repeals.

SEC. 21. The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

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[1] Only the part amending R. S. § 2146.
[2] Only the part amending R. S. § 2139.
[3] Second sentence, only, of the seventh paragraph appearing on this page.
[4] Only the provisions amending R. S. § 3167.
[5] First and third provisos appearing on this page.
[6] Fourth proviso commencing on this page and ending on p. 958.
[7] Second sentence of proviso, only.
[8] Second proviso, commencing on this page and ending on p. 845.
[9] Only the provisions amending second sentence of proviso in Act, May 28, 1896, ch. 252, § 19, 29 Stat. 184.
[10] First, second, and third provisos, only, appearing on this page.
[11] Only the sixth full paragraph appearing on this page.
[12] First proviso, only, appearing on this page.
[13] Only the second full paragraph appearing on this page.
[14] First proviso in the fifth paragraph appearing on this page.
[15] All following the semicolon in the fourth full paragraph appearing on this page.

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1909—Mar. 4					18	251, 261–287, 289–293, 301–340, 347–349, 351–360, 382–394, 396, 421–428, 443–446, 451–468, 481–501, 511–522, 532–534, 541–553, 567, 568, 571–573
					28	51
1910—June 23	372	1	36	604	36	4
June 25	386	15	36	818	39	765
Do	387	1–10	36	819–821	18	714, 715, 716, 717, 718, 719, 720, 721, 722, 723
Do	395	1–5, [16] 6, 7, 8	36	825–827	18	397, 401, 402, (2), (3), 403, 404
Do	431	6	36	857	18	104, 107
1911—Mar. 1	187		36	963	18	523
Mar. 3	231	10, 40–42, 65, 144, 270, 282–285, 288	36	1088, 1100, 1104, 1136, 1163, 1165, 1166	28	14, 101–103, 124, 249, 392, 419–422, 426
Do	231	[17] 59	36	1103	28	121
Mar. 4	241	2	36	1339	18	334
Do	270		36	1355	18	189
1912—Feb. 15	38		37	64, 65	18	285
Aug. 24	388	1 (part)	37	[18] 519	25	250
Do	389	[19] 2	37	553	39	808
1913—Jan. 23	9		37	650	18	714
Feb. 13	50	1, 2, 3	37	670	18	409–411
Dec. 23	6	[20] 12B(s-x)			12	264 (s), 264 (t), 264 (u), 264 (v) (1), 264 (w), 264 (x)
Do	6	22	38	272, 273	12	593, 594, 595
1914—Oct. 15	323	9, 21–25	38	733, 738–740	18	412
					28	386–390
1916—May 18	125	1 (part)	39	[21] 124	25	245, 252
Do	126	10	39	162	18	321
June 3	134	[22] 125	39	217	10	1393
July 17	245	31	39	382–384	12	981–986
Do	245	[23] 211			12	1121–1128
July 28	261	1	39	[24] 418	18	321
1917—Feb. 23	115		39	936	18	114
Mar. 2	146	[25] 17	39	982 (983)	25	242
Do	146	1 (part)	39	[26] 970	25	247
Mar. 3	163	1 (part)	39	[27] 1106	5	66
Mar. 4	180 (part)		39	[28] 1182	18	136
Do	180 (part)		39	[29] 1194	18	96
May 7	11		40	39, 40	18	22
May 22	20	19	40	89	18	96

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1917—June 15	30	I	1–8	40	217–219	50	31–38
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Do	30	III	1	40	221	18	502
Do	30	IV	1	40	221	18	381
Do	30	V	1–8	40	221–223	18	31–37
Do	30	VIII	1–5	40	226	18	98, 288, 349
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						50	41
Do	30	IX	2–4	40	227	22	220–222
Do	30	X	1–3	40	227, 228	18	130–132
Do	30	XI	1–23	40	228–230	18	98, 611–631, 633
Do	30	XII	1–3	40	230, 231	18	343–345
Do	30	XIII	2, 3	40	231	18	39, 535, 574
						50	39

[16] Second and third paragraphs, only, of said section 6.
[17] First sentence, only.
[18] Second proviso in first full paragraph appearing on this page.
[19] First paragraph, only.
[20] As added by Act, June 16, 1933, ch. 89, § 8 (part), 48 Stat. 177, 178.
[21] Only the second sentence of second full paragraph appearing on this page.
[22] Second paragraph, only.
[23] As added by act, Mar. 4, 1923, ch. 252, § 2 (part), 42 Stat. 1459–1461.
[24] Only the following words in the ninth full paragraph appearing on this page: "and that section ten of the said Act be amended by inserting after the first word of said section, 'that,' the words 'sections one hundred and ninety-eight of the' ".
[25] Twelfth paragraph, only.
[26] The proviso, only, in the first full paragraph appearing on this page.
[27] The proviso, only, in the fifth paragraph appearing on this page.
[28] The fourth full paragraph appearing on this page.
[29] All provisions appearing on this page which amend section forty-four (44) of Act, Mar. 4, 1909, ch. 321, 35 Stat. 1088 (1097).

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1917—June 21	32	11	40	240	12	595
Oct. 3	63	1110	40	329	18	342
1918—Apr. 19	58	All	40	533	50	111, 112, 113
Apr. 20	59	All	40	533, 534	50	101, 102, 103
May 25	86	1 (part)	40	[30] 563	25	244
July 8	138		40	821	22	246
July 10	144	1–3, 5–8	40	896, 897	18	794–801
Sept. 26	177	[31] 5	40	970, 971	12	593, 594, 595
Do	177	[32] 7	40	972, 973	12	591, 592
Oct. 23	194		40	1015, 1016	18	80, 82–86
1919—June 30	4	1 (part)	41	[33] 4	25	244
Do	4	[34] 1	41	3 (9)	25	214
July 11	6	6	41	68	18	201
Do	[35] 8 (part)		41	131	5	100
Oct. 29	89	1–5	41	324, 325	18	408
1920—May 25	196		41	620, 621	18	340
May 29	212		41	630	18	186
June 5	268		41	1060, 1061	18	396
1921—Mar. 3	136		41	[36] 1360	50	33
Mar. 4	161	1 (part)	41	[37] 1414	18	768
Do	172		41	1444, 1445	18	382–386
Nov. 17	124	1, 2	42	220	18	582
Nov. 23	136	1321	42	315	18	585, 586
1922—Jan. 31	44	1, 2	42	361	22	409, 410
June 19	227	[38] 4 (part)	42	661	23	46
1923—Jan. 3	21		42	[39] 1085	18	768
Feb. 24	110		42	1286	10	1425
Mar. 3	218		42	1437	18	350
Mar. 4	252	209 (e, h)	42	1468, 1469	12	1245, 1248
Do	252	216	42	1471–1473	12	1311–1318
1924—Feb. 11	17	1–3, 5–9	43	6, 7	18	769–776
Apr. 15	108		43	98	18	145
May 26	190	22	43	165	8	220
May 28	204		43	[40] 222	18	768
May 31	[41] 221		43	248	18	767
June 2	234	1010	43	341, 342	18	585, 586
June 7	287	1–9	43	473–475	18	811–819
Dec. 5	4	1 (part)	43	[42] 688	18	767
1925—Jan. 7	32	1–10	43	724–726	18	831–840
Do	33		43	726	18	570
Jan. 28	102		43	793, 794	18	409–411
Feb. 11	204	[43] 8			18	562a
Feb. 25	318		43	977	18	317
Feb. 27	364		43	[44] 1031	18	768
Feb. 28	368	310–313	43	1073	2	249–251
				1074	18	208
Mar. 4	521	1–4	43	1259–1261	18	724–727
1926—Feb. 26	27	1110	44	114, 115	18	585, 586
Do	27	[45] 1115	44	117	18	216
May 24	377	1–5	44	628, 629	12	584–588
May 27	406	11	44	665, 666	11	52
July 3	755		44	831	18	683
Do	780	1, 2	44	891	18	103a, 103b
Do	795		44	901	18	746
Dec. 11	2	1–3	44	917, 918	18	146–148
Do	3	1–3	44	918	18	149–151
1927—Feb. 8	75	1, 2	44	1059, 1060	18	361
Feb. 25	191	[46] 12	44	1231	12	591
Do	191	15	44	1232	12	593
Dec. 22	5	1 (part)	45	[47] 22	18	838
Dec. 27	6		45	51	18	582
1928—Feb. 15	57		45	[48] 83	18	699a
Apr. 21	392		45	437	10	1425

[30] Fourth proviso, only, appearing on this page.
[31] Only the part amending and reenacting those provisions of section 22 of Act ,Dec. 23, ch. 6, 38 Stat. 272, which, in said section 5 of this Act, of Sept. 26, 1918, were designated as section 22 (a) (b) (c).
[32] Final sentence of the quoted provisions amending R. S. § 5208, and all quoted provisions amending R. S. § 5209.
[33] Fourth proviso, only, appearing on this page.
[34] Final paragraph.
[35] All of the final paragraph of Chapter IV of this Act, except the proviso contained in the second sentence thereof.
[36] The second proviso, only, appearing on this page.
[37] The proviso, only, appearing on this page.
[38] Par. 6.
[39] The proviso, only, on this page.
[40] The proviso, only, contained in the second full paragraph appearing on this page.
[41] First sentence, only, of first paragraph.
[42] Only the first proviso appearing on this page, reading as follows: "*Provided*, That said bridge shall be open to use by the public under such rules and regulations as prescribed by the Attorney General."
[43] Par. 6, proviso, only; as added by Act, June 22, 1927, ch. 50, § 2 (part), 44 Stat. 1023.
[44] Second proviso only, appearing on this page, and reading as follows: "*Provided*, That livestock may be exchanged or traded when authorized by the Attorney General, $184,500."
[45] Only the part reenacting R. S. § 3167, as amended.
[46] Final sentence of the quoted provisons amending R. S. § 5208, and also the following words in the first paragraph of said section 12 of this act: "by striking out the words 'or who shall certify a check before the amount thereof shall have been regularly entered to the credit of the drawer upon the books of the bank,' and in lieu thereof inserting the following: 'or who shall certify a check before the amount thereof shall have been regularly deposited in the bank by the drawer thereof,'."
[47] The proviso, only, in the fifth full paragraph appearing on this page.
[48] Proviso, only, in the sixth paragraph appearing on this page.

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1940—Continued						
June 29	445		54	688	18	687
Do	449	1–5	54	692, 693	18	641, 718, 719, 723c, 753k
Do	455		54	695	12	588b
July 10	567		54	747	18	587
July 19	640	1, 3, 5, 6	54	767, 772	18	61a, 61j, 61m–1, 61t
Oct 8	762		54	1021	18	203
Oct. 9	777	6	54	1028	18	382–385
Do	785	1–5	54	1058, 1059	18	576, 576a–576d
Oct. 14	872		54	1134	18	396a
Do	876	346 (a–h), (l), 347	54	1163–1168	8	746 (a–h), (l), 747
Oct. 17	897	1–6	54	1201–1204	18	14, 14 note 15–17
Nov. 30	926		54	1220, 1221	50	101, 104–106
1941—May 31	156	1 (part)	55	[61] 220	18	647
June 14	204		55	252	18	753f
June 21	212		55	254, 255	18	746a, 746b
June 28	261	10	55	365	12	1731 (d)
July 9	283		55	581	18	396a
July 11	287		55	583	18	518a
Aug. 18	366	1–6	55	631, 632	18	419a, 419b, 419c, 419d
Aug. 21	388		55	655	50	104
Oct. 21	453		55	743, 744	18	753f
Nov. 15	472	1, 2	55	763, 764	18	106, 107
Nov. 21	492		55	779	18	689
Dec. 22	618		55	853	18	521
Dec. 31	642	1–3	55	876, 877	18	503, 503, note, 504
1942—Mar. 7	160		56	141	18	361
Mar. 10	178	1 (part)	56	[62] 158	18	647
Mar. 21	191		56	173	18	97a
Mar. 27	199	1106	56	184	50 App.	641e
May 9	295	1	56	271, 272	18	682
Aug. 24	555	1, 2	56	747, 748	18	590a
Sept. 16	561	[63] 314			50	344
Dec. 24	823	1, 2, 3	56	1087	18	420f, 420g, 420h
Do	824		56	1087, 1088	50	101
1943—June 30	179	1 (part)	57	[64] 258	18	647
Nov. 22	302		57	591	18	87
1944—Mar. 4	82	1, 2, 3, 4	58	111	18	472, 473, 474
Apr. 1	151		58	149, 150	18	282a
Apr. 4	162		58	188	18	469
July 1	358	19 (a), (d), (e),	58	667, 668	41	[65] 119
Do	358	19 (b)	58	667	18	590a
Sept. 27	425		58	752	18	294
Oct. 3	479	28	58	781	18	590a
Dec. 20	623	4	58	837	12	1150c
Dec. 23	706	1, 2, 3	58	914, 915	18	62, 62a, 62b
1945—Apr. 30	103		59	101	18	97b
May 15	126		59	168	18	518a
June 8	178	1, 2, 3	59	234, 235	18	241, 241a, 242
July 31	339	9	59	516	31	804b
Sept. 24	383	1, 2, 3	59	536	18	408
1946—May 15	258		60	182	18	518a
July 3	537		60	420	15	17 note
					18	420a–420e–1
					29	52 note, 101 note, 151 note
July 10	547		60	524, 525	18	641
July 24	606		60	656	18	409–411
Aug. 2	735		60	789	18	408e
Aug. 14	964	[66] 3	60	1,064	7	1,026
1947—Apr. 16	39		61	52	18	411
May 16	73		61	97	18	744h–1
June 21	111		61	134	18	244
June 23	120	304	61	159	2	251

[61] First proviso, only, appearing on this page.
[62] First proviso, only, appearing on this page.
[63] As added by Act, Apr. 1, 1944, ch. 150 (part), 58 Stat. 146.
[64] Second proviso, only, appearing on this page.
[65] First, second, third, and sixth paragraphs, only, of this section of title 41 of the United States Code, 1940 edition.
[66] Only the provisions amending section 52 of Act, July 22, 1937, ch. 517, title IV, 50 Stat. 531, 532.

Approved June 25, 1948, 12:23 p. m., E. D. T.

[CHAPTER 646]

AN ACT

To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary".

June 25, 1948
[H. R. 3214]
[Public Law 773]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code, entitled "Judicial Code and Judiciary" is hereby revised, codified, and enacted into law, and may be cited as "Title 28, United States Code, section —", as follows:

Title 28, U. S. Code. Codification and enactment into law.

TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE

Part		Sec.	
I.	Organization of courts	1	*Infra.*
II.	United States attorneys and marshals	501	*Post*, p. 909.
III.	Court officers and employees	601	*Post*, p. 913.
IV.	Jurisdiction and venue	1251	*Post*, p. 927.
V.	Procedure	1651	*Post*, p. 943.
VI.	Particular proceedings	2201	*Post*, p. 964.

PART I.—ORGANIZATION OF COURTS

Chapter		Sec.
1.	Supreme Court	1
3.	Courts of appeals	41
5.	District courts	81
7.	Court of Claims	171
9.	Court of Customs and Patent Appeals	211
11.	Customs Court	251
13.	Assignment of judges to other courts	291
15.	Conferences and councils of judges	331
17.	Resignation and retirement of judges	371
19.	Distribution of reports and digests	411
21.	General provisions applicable to courts and judges	451

CHAPTER 1—SUPREME COURT

Sec.
1. Number of justices; quorum.
2. Terms of court.
3. Vacancy in office of Chief Justice; disability.
4. Precedence of associate justices.
5. Salaries of justices.
6. Records of former court of appeals.

§ 1. Number of justices; quorum

The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.

§ 2. Terms of court

The Supreme Court shall hold at the seat of government a term of court commencing on the first Monday in October of each year and may hold such adjourned or special terms as may be necessary.

§ 3. Vacancy in office of Chief Justice; disability

Whenever the Chief Justice is unable to perform the duties of his office or the office is vacant, his powers and duties shall devolve upon the associate justice next in precedence who is able to act, until such disability is removed or another Chief Justice is appointed and duly qualified.

§ 4. Precedence of associate justices

Associate justices shall have precedence according to the seniority of their commissions. Justices whose commissions bear the same date shall have precedence according to seniority in age.

§ 5. Salaries of justices

The Chief Justice shall receive a salary of $25,500 a year, and each associate justice shall receive a salary of $25,000 a year.

§ 6. Records of former court of appeals

The records and proceedings of the court of appeals, appointed previous to the adoption of the Constitution, shall be kept in the office of the clerk of the Supreme Court, who shall furnish copies thereof to any person requiring and paying for them, in the manner provided by law for giving copies of the records and proceedings of the Supreme Court. Such copies shall have the same faith and credit as proceedings of the Supreme Court.

CHAPTER 3—COURTS OF APPEALS

Sec.

41. Number and composition of circuits.
42. Allotment of Supreme Court justices to circuits.
43. Creation and composition of courts.
44. Appointment, tenure, residence and salary of circuit judges.
45. Chief judges; precedence of judges.
46. Assignment of judges; divisions; hearings; quorum.
47. Disqualification of trial judge to hear appeal.
48. Terms of Court.

§ 41. Number and composition of circuits

The eleven judicial circuits of the United States are constituted as follows:

Circuits	Composition
District of Columbia	District of Columbia.
First	Maine, Massachusetts, New Hampshire, Puerto Rico, Rhode Island.
Second	Connecticut, New York, Vermont.
Third	Delaware, New Jersey, Pennsylvania, Virgin Islands.
Fourth	Maryland, North Carolina, South Carolina, Virginia, West Virginia.
Fifth	Alabama, Canal Zone, Florida, Georgia, Louisiana, Mississippi, Texas.
Sixth	Kentucky, Michigan, Ohio, Tennessee.
Seventh	Illinois, Indiana, Wisconsin.
Eighth	Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.
Ninth	Alaska, Arizona, California, Idaho, Montana, Nevada, Oregon, Washington, Hawaii.
Tenth	Colorado, Kansas, New Mexico, Oklahoma, Utah, Wyoming.

§ 42. Allotment of Supreme Court justices to circuits

The Chief Justice of the United States and the associate justices of the Supreme Court shall from time to time be allotted as circuit justices among the circuits by order of the Supreme Court. The Chief Justice may make such allotments in vacation.

A justice may be assigned to more than one circuit, and two or more justices may be assigned to the same circuit.

§ 43. Creation and composition of courts

(a) There shall be in each circuit a court of appeals, which shall be a court of record, known as the United States Court of Appeals for the circuit.

(b) Each court of appeals shall consist of the circuit judges of the circuit in active service. The circuit justice and justices or judges

designated or assigned shall also be competent to sit as judges of the court.

§ 44. Appointment, tenure, residence and salary of circuit judges

(a) The President shall appoint, by and with the advice and consent of the Senate, circuit judges for the several circuits as follows:

Circuits	Number of Judges
District of Columbia	Six
First	Three
Second	Six
Third	Six
Fourth	Three
Fifth	Six
Sixth	Six
Seventh	Five
Eighth	Seven
Ninth	Seven
Tenth	Four

(b) Circuit judges shall hold office during good behavior.

(c) Except in the District of Columbia, each circuit judge shall be a resident of the circuit for which appointed at the time of his appointment and thereafter while in active service.

(d) Each circuit judge shall receive a salary of $17,500 a year.

§ 45. Chief judges; precedence of judges

(a) The circuit judge senior in commission shall be the chief judge of the circuit.

(b) The chief judge shall have precedence and preside at any session of the court which he attends. Other circuit judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age. The circuit justice, however, shall have precedence over all the circuit judges and shall preside at any session which he attends.

(c) If the chief judge desires to be relieved of his duties as chief judge while retaining his active status as circuit judge, he may so certify to the Chief Justice of the United States, and thereafter the circuit judge in active service next in precedence and willing to serve shall be designated by the Chief Justice as the chief judge of the circuit.

(d) If a chief judge is temporarily unable to perform his duties as such, they shall be performed by the circuit judge in active service, present in the circuit and able and qualified to act, who is next in precedence.

§ 46. Assignment of judges; divisions; hearings; quorum

(a) Circuit judges shall sit on the court and its divisions in such order and at such times as the court directs.

(b) In each circuit the court may authorize the hearing and determination of cases and controversies by separate divisions, each consisting of three judges. Such divisions shall sit at the times and places and hear the cases and controversies assigned as the court directs.

(c) Cases and controversies shall be heard and determined by a court or division of not more than three judges, unless a hearing or rehearing before the court in banc is ordered by a majority of the circuit judges of the circuit who are in active service. A court in banc shall consist of all active circuit judges of the circuit.

(d) A majority of the number of judges authorized to constitute

a court or division thereof, as provided in paragraph (c), shall constitute a quorum.

§ 47. Disqualification of trial judge to hear appeal

No judge shall hear or determine an appeal from the decision of a case or issue tried by him.

§ 48. Terms of court

Terms or sessions of courts of appeals shall be held annually at the places listed below, and at such other places within the respective circuits as may be designated by rule of court. Each court of appeals may hold special terms at any place within its circuit.

Circuits	Places
District of Columbia	Washington.
First	Boston.
Second	New York.
Third	Philadelphia.
Fourth	Richmond, Asheville.
Fifth	New Orleans, Atlanta, Fort Worth, Jacksonville, Montgomery.
Sixth	Cincinnati.
Seventh	Chicago.
Eighth	St. Louis, Kansas City, Omaha, St. Paul.
Ninth	San Francisco, Los Angeles, Portland, Seattle.
Tenth	Denver, Wichita, Oklahoma City.

CHAPTER 5—DISTRICT COURTS

Sec.

81. Alabama.
82. Arizona.
83. Arkansas.
84. California.
85. Colorado.
86. Connecticut.
87. Delaware.
88. District of Columbia.
89. Florida.
90. Georgia.
91. Hawaii.
92. Idaho.
93. Illinois.
94. Indiana.
95. Iowa.
96. Kansas.
97. Kentucky.
98. Louisiana.
99. Maine.
100. Maryland.
101. Massachusetts.
102. Michigan.
103. Minnesota.
104. Mississippi.
105. Missouri.
106. Montana.
107. Nebraska.
108. Nevada.
109. New Hampshire.
110. New Jersey.
111. New Mexico.
112. New York.
113. North Carolina.
114. North Dakota.
115. Ohio.
116. Oklahoma.
117. Oregon.
118. Pennsylvania.
119. Puerto Rico.

Sec.
120. Rhode Island.
121. South Carolina.
122. South Dakota.
123. Tennessee.
124. Texas.
125. Utah.
126. Vermont.
127. Virginia.
128. Washington.
129. West Virginia.
130. Wisconsin.
131. Wyoming.
132. Creation and composition of district courts.
133. Appointment and number of district judges.
134. Tenure and residence of district judges.
135. Salaries of district judges.
136. Chief judges; precedence of district judges.
137. Division of business among district judges.
138. Times for holding regular terms.
139. Term continued until terminated.
140. Adjournment.
141. Special terms; places; notice.
142. Accommodations at places for holding court.
143. Vacant judgeship as affecting proceedings.
144. Bias or prejudice of judge.

§ 81. Alabama

Alabama is divided into three judicial districts to be known as the Northern, Middle, and Southern Districts of Alabama.

Northern District

(a) The Northern District comprises seven divisions.

(1) The Northwestern Division comprises the counties of Colbert, Franklin, and Lauderdale.

Court for the Northwestern Division shall be held at Florence.

(2) The Northeastern Division comprises the counties of Cullman, Jackson, Lawrence, Limestone, Madison, and Morgan.

Court for the Northeastern Division shall be held at Huntsville.

(3) The Southern Division comprises the counties of Blount, Jefferson, and Shelby.

Court for the Southern Division shall be held at Birmingham.

(4) The Eastern Division comprises the counties of Calhoun, Clay, Cleburne, and Talladega.

Court for the Eastern Division shall be held at Anniston.

(5) The Western Division comprises the counties of Bibb, Greene, Pickens, Sumter, and Tuscaloosa.

Court for the Western Division shall be held at Tuscaloosa.

(6) The Middle Division comprises the counties of Cherokee, De Kalb, Etowah, Marshall, and Saint Clair.

Court for the Middle Division shall be held at Gadsden.

(7) The Jasper Division comprises the counties of Fayette, Lamar, Marion, Walker, and Winston.

Court for the Jasper Division shall be held at Jasper.

Middle District

(b) The Middle District comprises three divisions.

(1) The Northern Division comprises the counties of Autauga, Barbour, Bullock, Butler, Chilton, Coosa, Covington, Crenshaw, Elmore, Lowndes, Montgomery, and Pike.

Court for the Northern Division shall be held at Montgomery.

(2) The Southern Division comprises the counties of Coffee, Dale, Geneva, Henry, and Houston.
Court for the Southern Division shall be held at Dothan.
(3) The Eastern Division comprises the counties of Chambers, Lee, Macon, Randolph, Russell, and Tallapoosa.
Court for the Eastern Division shall be held at Opelika.

Southern District

(c) The Southern District comprises two divisions.
(1) The Northern Division comprises the counties of Dallas, Hale, Marengo, Perry, and Wilcox.
Court for the Northern Division shall be held at Selma.
(2) The Southern Division comprises the counties of Baldwin, Choctaw, Clarke, Conecuh, Escambia, Mobile, Monroe, and Washington.
Court for the Southern Division shall be held at Mobile.

§ 82. Arizona

Arizona constitutes one judicial district.
Court shall be held at Globe, Phoenix, Prescott, and Tucson.

§ 83. Arkansas

Arkansas is divided into two judicial districts to be known as the Eastern and Western Districts of Arkansas.

Eastern District

(a) The Eastern District comprises four divisions.
(1) The Eastern Division comprises the counties of Cross, Desha, Lee, Monroe, Phillips, Saint Francis, and Woodruff.
Court for the Eastern Division shall be held at Helena.
(2) The Western Division comprises the counties of Arkansas, Chicot, Cleveland, Conway, Dallas, Drew, Faulkner, Grant, Jefferson, Lincoln, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, White, and Yell.
Court for the Western Division shall be held at Little Rock.
(3) The Northern Division comprises the counties of Cleburne, Fulton, Independence, Izard, Jackson, Sharp, and Stone.
Court for the Northern Division shall be held at Batesville.
(4) The Jonesboro Division comprises the counties of Clay, Craighead, Crittenden, Greene, Lawrence, Mississippi, Poinsett, and Randolph.
Court for the Jonesboro Division shall be held at Jonesboro.

Western District

(b) The Western District comprises six divisions.
(1) The Texarkana Division comprises the counties of Hempstead, Howard, Lafayette, Little River, Miller, Nevada, and Sevier.
Court for the Texarkana Division shall be held at Texarkana.
(2) The El Dorado Division comprises the counties of Ashley, Bradley, Calhoun, Columbia, Ouachita, and Union.
Court for the El Dorado Division shall be held at El Dorado.
(3) The Fort Smith Division comprises the counties of Crawford, Franklin, Johnson, Logan, Polk, Scott, and Sebastian.
Court for the Fort Smith Division shall be held at Fort Smith.

(4) The Harrison Division comprises the counties of Baxter, Boone, Carroll, Marion, Newton, and Searcy.
Court for the Harrison Division shall be held at Harrison.
(5) The Fayetteville Division comprises the counties of Benton, Madison, and Washington.
Court for the Fayetteville Division shall be held at Fayetteville.
(6) The Hot Springs Division comprises the counties of Clark, Garland, Hot Springs, Montgomery, and Pike.
Court for the Hot Springs Division shall be held at Hot Springs.

§ 84. California

California is divided into two judicial districts to be known as the Northern and Southern Districts of California.

Northern District

(a) The Northern District comprises two divisions.
(1) The Northern Division comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Mono, Napa, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, and all of Yosemite National Park, Yolo, and Yuba.
Court for the Northern Division shall be held at Sacramento and Eureka.
(2) The Southern Division comprises the counties of Alameda, Contra Costa, Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz.
Court for the Southern Division shall be held at San Francisco.

Southern District

(b) The Southern District comprises three divisions.
(1) The Northern Division comprises the counties of Fresno, Inyo, Kern, Kings, Madera except Yosemite National Park, Mariposa except Yosemite National Park, Merced, and Tulare.
Court for the Northern Division shall be held at Fresno.
(2) The Central Division comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.
Court for the Central Division shall be held at Los Angeles.
(3) The Southern Division comprises the counties of Imperial and San Diego.
Court for the Southern Division shall be held at San Diego.

§ 85. Colorado

Colorado constitutes one judicial district.
Court shall be held at Denver, Durango, Grand Junction, Montrose, Pueblo, and Sterling.

§ 86. Connecticut

Connecticut constitutes one judicial district.
Court shall be held at Hartford and New Haven.

§ 87. Delaware

Delaware constitutes one judicial district.
Court shall be held at Wilmington.

§ 88. District of Columbia

The District of Columbia constitutes one judicial district.
Court shall be held at Washington.

§ 89. Florida

Florida is divided into two judicial districts to be known as the Northern and Southern Districts of Florida.

Northern District

(a) The Northern District comprises the counties of Alachua, Bay, Calhoun, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington.

Court for the Northern District shall be held at Gainesville, Marianna, Panama City, Pensacola, and Tallahassee.

Southern District

(b) The Southern District comprises the counties of Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Lake, Lee, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Sumter, Suwannee, Union, and Volusia.

Court for the Southern District shall be held at Fernandina, Fort Pierce, Jacksonville, Key West, Miami, Ocala, Orlando, and Tampa.

§ 90. Georgia

Georgia is divided into three judicial districts to be known as the Northern, Middle, and Southern Districts of Georgia.

Northern District

(a) The Northern District comprises four divisions.

(1) The Gainesville Division comprises the counties of Banks, Barrow, Dawson, Forsyth, Habersham, Hall, Jackson, Lumpkin, Rabun, Stephens, Towns, Union, and White.

Court for the Gainesville Division shall be held at Gainesville.

(2) The Atlanta Division comprises the counties of Cherokee, Clayton, Cobb, De Kalb, Douglas, Fannin, Fulton, Gilmer, Gwinnett, Henry, Newton, Pickens, and Rockdale.

Court for the Atlanta Division shall be held at Atlanta.

(3) The Rome Division comprises the counties of Bartow, Catoosa, Chattooga, Dade, Floyd, Gordon, Murray, Paulding, Polk, Walker, and Whitfield.

Court for the Rome Division shall be held at Rome.

(4) The Newnan Division comprises the counties of Carroll, Coweta, Fayette, Haralson, Heard, Meriwether, Pike, Spalding, and Troup.

Court for the Newnan Division shall be held at Newnan.

Middle District

(b) The Middle District comprises seven divisions.

(1) The Athens Division comprises the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Oconee, Oglethorpe, and Walton.

Court for the Athens Division shall be held at Athens.

(2) The Macon Division comprises the counties of Baldwin, Bibb, Bleckley, Butts, Crawford, Hancock, Houston, Jasper, Jones, Lamar, Monroe, Peach, Pulaski, Putnam, Twiggs, Upson, Washington, and Wilkinson.

Court for the Macon Division shall be held at Macon.

(3) The Columbus Division comprises the counties of Chattahoochee, Clay, Harris, Marion, Muscogee, Quitman, Randolph, Stewart, Talbot, and Taylor.

Court for the Columbus Division shall be held at Columbus.

(4) The Americus Division comprises the counties of Ben Hill, Crisp, Dooly, Lee, Macon, Schley, Sumter, Terrell, Webster, and Wilcox.

Court for the Americus Division shall be held at Americus.

(5) The Albany Division comprises the counties of Baker, Calhoun, Dougherty, Early, Miller, Mitchell, Turner, and Worth.

Court for the Albany Division shall be held at Albany.

(6) The Valdosta Division comprises the counties of Berrien, Clinch, Cook, Echols, Irwin, Lanier, Lowndes, and Tift.

Court for the Valdosta Division shall be held at Valdosta.

(7) The Thomasville Division comprises the counties of Brooks, Colquitt, Decatur, Grady, Seminole, and Thomas.

Court for the Thomasville Division shall be held at Thomasville.

Southern District

(c) The Southern District comprises five divisions.

(1) The Augusta Division comprises the counties of Burke, Columbia, Glascock, Jefferson, Lincoln, McDuffie, Richmond, Taliaferro, Warren, and Wilkes.

Court for the Augusta Division shall be held at Augusta.

(2) The Dublin Division comprises the counties of Dodge, Emanuel, Johnson, Laurens, Montgomery, Telfair, Toombs, Treutlen, and Wheeler.

Court for the Dublin Division shall be held at Dublin.

(3) The Savannah Division comprises the counties of Bryan, Bulloch, Candler, Chatham, Effingham, Evans, Jenkins, Liberty, Screven, and Tattnall.

Court for the Savannah Division shall be held at Savannah.

(4) The Waycross Division comprises the counties of Atkinson, Bacon, Brantley, Charlton, Coffee, Pierce, and Ware.

Court for the Waycross Division shall be held at Waycross.

(5) The Brunswick Division comprises the counties of Appling, Camden, Glynn, Jeff Davis, Long, McIntosh, and Wayne.

Court for the Brunswick Division shall be held at Brunswick.

§ 91. Hawaii

Hawaii constitutes one judicial district which includes the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, and Jarvis Island.

Court shall be held at Honolulu.

§ 92. Idaho

Idaho, exclusive of Yellowstone National Park, constitutes one judicial district comprising four divisions.

(1) The Northern Division comprises the counties of Benewah, Bonner, Boundary, Kootenai, and Shoshone.

Court for the Northern Division shall be held at Coeur d'Alene.

(2) The Central Division comprises the counties of Clearwater, Idaho, Latah, Lewis, and Nez Perce.

Court for the Central Division shall be held at Moscow.

(3) The Southern Division comprises the counties of Ada, Adams, Blaine, Boise, Camas, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Lincoln, Minidoka, Owyhee, Payette, Twin Falls, Valley, and Washington.

Court for the Southern Division shall be held at Boise.

(4) The Eastern Division comprises the counties of Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Custer, Franklin, Fremont, Jefferson, Lemhi, Madison, Oneida, Power, and Teton.

Court for the Eastern Division shall be held at Pocatello.

§ 93. Illinois

Illinois is divided into three judicial districts to be known as the Northern, Southern, and Eastern Districts of Illinois.

Northern District

(a) The Northern District comprises two divisions.

(1) The Eastern Division comprises the counties of Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, La Salle, McHenry, and Will.

Court for the Eastern Division shall be held at Chicago.

(2) The Western Division comprises the counties of Boone, Carroll, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, and Winnebago.

Court for the Western Division shall be held at Freeport.

Southern District

(b) The Southern District comprises two divisions.

(1) The Northern Division comprises the counties of Bureau, Fulton, Henderson, Henry, Knox, Livingston, McDonough, Marshall, Mercer, Peoria, Putnam, Rock Island, Stark, Tazewell, Warren, and Woodford.

Court for the Northern Division shall be held at Peoria.

(2) The Southern Division comprises the counties of Adams, Bond, Brown, Calhoun, Cass, Christian, De Witt, Greene, Hancock, Jersey, Logan, McLean, Macaupin, Macon, Madison, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Schuyler, and Scott.

Court for the Southern Division shall be held at Quincy and Springfield.

Eastern District

(c) The Eastern District of Illinois comprises the counties of Alexander, Champaign, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Hamilton, Hardin, Iroquois, Jackson, Jasper, Jefferson, Johnson, Kankakee, Lawrence, Marion, Massac, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Shelby, Union, Vermilion, Wabash, Washington, Wayne, White, and Williamson.

Court for the Eastern District shall be held at Benton, Cairo, Danville, and East Saint Louis.

§ 94. Indiana

Indiana is divided into two judicial districts to be known as the Northern and Southern Districts of Indiana.

Northern District

(a) The Northern District comprises three divisions.

(1) The Fort Wayne Division comprises the counties of Adams, Allen, Blackford, De Kalb, Grant, Huntington, Jay, Lagrange, Noble, Steuben, Wells, and Whitley.

Court for the Fort Wayne Division shall be held at Fort Wayne.

(2) The South Bend Division comprises the counties of Cass, Elkhart, Fulton, Kosciusko, La Porte, Marshall, Miami, Pulaski, St. Joseph, Starke, and Wabash.

Court for the South Bend Division shall be held at South Bend.

(3) The Hammond Division comprises the counties of Benton, Carroll, Jasper, Lake, Newton, Porter, Tippecanoe, Warren, and White.

Court for the Hammond Division shall be held at Hammond.

Southern District

(b) The Southern District comprises four divisions.

(1) The Indianapolis Division comprises the counties of Bartholomew, Boone, Brown, Clinton, Decatur, Delaware, Fayette, Fountain, Franklin, Hamilton, Hancock, Hendricks, Henry, Howard, Johnson, Madison, Marion, Monroe, Montgomery, Morgan, Randolph, Rush, Shelby, Tipton, Union, and Wayne.

Court for the Indianapolis Division shall be held at Indianapolis.

(2) The Terre Haute Division comprises the counties of Clay, Greene, Knox, Owen, Parke, Putnam, Sullivan, Vermilion, and Vigo.

Court for the Terre Haute Division shall be held at Terre Haute.

(3) The Evansville Division comprises the counties of Davies, Dubois, Gibson, Martin, Perry, Pike, Posey, Spencer, Vanderburgh, and Warrick.

Court for the Evansville Division shall be held at Evansville.

(4) The New Albany Division comprises the counties of Clark, Crawford, Dearborn, Floyd, Harrison, Jackson, Jefferson, Jennings, Lawrence, Ohio, Orange, Ripley, Scott, Switzerland, and Washington.

Court for the New Albany Division shall be held at New Albany.

§ 95. Iowa

Iowa is divided into two judicial districts to be known as the Northern and Southern Districts of Iowa.

Northern District

(a) The Northern District comprises four divisions.

(1) The Cedar Rapids Division comprises the counties of Benton, Cedar, Grundy, Hardin, Iowa, Jones, Linn, and Tama.

Court for the Cedar Rapids Division shall be held at Cedar Rapids.

(2) The Eastern Division comprises the counties of Allamakee, Black Hawk, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Floyd, Howard, Jackson, Mitchell, and Winneshiek.

Court for the Eastern Division shall be held at Dubuque and Waterloo.

(3) The Western Division comprises the counties of Buena Vista, Cherokee, Clay, Crawford, Dickinson, Ida, Lyon, Monona, O'Brien, Osceola, Plymouth, Sac, Sioux, and Woodbury.

Court for the Western Division shall be held at Sioux City.

(4) The Central Division comprises the counties of Butler, Calhoun, Carroll, Cerro Gordo, Emmet, Franklin, Hamilton, Hancock, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, Winnebago, Worth, and Wright.

Court for the Central Division shall be held at Fort Dodge and Mason City.

Southern District

(b) The Southern District comprises six divisions.

(1) The Central Division comprises the counties of Boone, Dallas, Greene, Guthrie, Jasper, Madison, Marion, Marshall, Polk, Poweshiek, Story, and Warren.

Court for the Central Division shall be held at Des Moines.

(2) The Eastern Division comprises the counties of Des Moines, Henry, Lee, Louisa, and Van Buren.

Court for the Eastern Division shall be held at Keokuk.

(3) The Western Division comprises the counties of Audubon, Cass, Harrison, Mills, Montgomery, Pottawattamie, and Shelby.

Court for the Western Division shall be held at Council Bluffs.

(4) The Southern Division comprises the counties of Adair, Adams, Clarke, Decatur, Fremont, Lucas, Page, Ringgold, Taylor, Union, and Wayne.

Court for the Southern Division shall be held at Creston.

(5) The Davenport Division comprises the counties of Clinton, Johnson, Muscatine, Scott, and Washington.

Court for the Davenport Division shall be held at Davenport.

(6) The Ottumwa Division comprises the counties of Appanoose, Davis, Jefferson, Keokuk, Mahaska, Monroe, and Wapello.

Court for the Ottumwa Division shall be held at Ottumwa.

§ 96. Kansas

Kansas constitutes one judicial district comprising three divisions.

(1) The First Division comprises the counties of Atchison, Brown, Chase, Cheyenne, Clay, Cloud, Decatur, Dickinson, Doniphan, Douglas, Ellis, Franklin, Geary, Gove, Graham, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Lincoln, Logan, Lyon, Marion, Marshall, Mitchell, Morris, Nemaha, Norton, Osage, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Russell, Saline, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wabaunsee, Wallace, Washington, and Wyandotte.

Court for the First Division shall be held at Kansas City, Leavenworth, Salina, and Topeka.

(2) The Second Division comprises the counties of Barber, Barton, Butler, Clark, Comanche, Cowley, Edwards, Ellsworth, Finney, Ford, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Lane, McPherson, Meade, Morton, Ness, Pawnee, Pratt, Reno, Rice, Rush, Scott, Sedgwick, Seward, Stafford, Stanton, Stevens, Sumner, and Wichita.

Court for the Second Division shall be held at Hutchinson and Wichita.

(3) The Third Division comprises the counties of Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Crawford, Elk, Greenwood, Labette, Linn, Miami, Montgomery, Neosho, Wilson, and Woodson.

Court for the Third Division shall be held at Fort Scott.

§ 97. Kentucky

Kentucky is divided into two judicial districts to be known as the Eastern and Western Districts of Kentucky.

Eastern District

(a) The Eastern District comprises the counties of Anderson, Bath, Bell, Boone, Bourbon, Boyd, Boyle, Bracken, Breathitt, Campbell, Carroll, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Gallatin, Garrard, Grant, Greenup, Harlan, Harrison, Henry, Jackson, Jessamine, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Mason, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Scott, Shelby, Trimble, Wayne, Whitley, Wolfe, and Woodford.

Court for the Eastern District shall be held at Catlettsburg, Covington, Frankfort, Jackson, Lexington, London, Pikeville, and Richmond.

Western District

(b) The Western District comprises the counties of Adair, Allen, Ballard, Barren, Breckenridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Casey, Christian, Clinton, Crittenden, Cumberland, Daviess, Edmonson, Fulton, Graves, Grayson, Green, Hancock, Hardin, Hart, Henderson, Hickman, Hopkins, Jefferson, Larue, Livingston, Logan, Lyon, McCracken, McLean, Marion, Marshall, Meade, Metcalfe, Monroe, Muhlenberg, Nelson, Ohio, Oldham, Russell, Simpson, Spencer, Taylor, Todd, Trigg, Union, Warren, Washington, and Webster.

Court for the Western District shall be held at Bowling Green, Louisville, Owensboro, and Paducah.

§ 98. Louisiana

Louisiana is divided into two judicial districts to be known as the Eastern and Western Districts of Louisiana.

Eastern District

(a) The Eastern District comprises two divisions.

(1) The New Orleans Division comprises the parishes of Assumption, Iberi, Jefferson, Lafourche, Orleans, Plaquemines, Saint Bernard, Saint Charles, Saint James, Saint John the Baptist, Saint Mary, Saint Tammany, Tangipahoa, Terrebonne, and Washington.

Court for the New Orleans Division shall be held at New Orleans.

(2) The Baton Rouge Division comprises the parishes of Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, Saint Helena, West Baton Rouge, and West Feliciana.

Court for the Baton Rouge Division shall be held at Baton Rouge.

Western District

(b) The Western District comprises five divisions.

(1) The Opelousas Division comprises the parishes of Evangeline, Lafayette, Saint Landry, Saint Martin, and Vermilion.

Court for the Opelousas Division shall be held at Opelousas.

(2) The Alexandria Division comprises the parishes of Avoyelles, Catahoula, Grant, LaSalle, Rapides, and Winn.

Court for the Alexandria Division shall be held at Alexandria.

(3) The Shreveport Division comprises the parishes of Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine, and Webster.

Court for the Shreveport Division shall be held at Shreveport.

(4) The Monroe Division comprises the parishes of Caldwell, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll.

Court for the Monroe Division shall be held at Monroe.

(5) The Lake Charles Division comprises the parishes of Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vernon.

Court for the Lake Charles Division shall be held at Lake Charles.

§ 99. Maine

Maine constitutes one judicial district comprising two divisions.

(1) The Northern Division comprises the counties of Aroostook, Hancock, Penobscot, Piscataquis, Somerset, Waldo, and Washington.

Court for the Northern Division shall be held at Bangor.

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(2) The Southern Division comprises the counties of Androscoggin, Cumberland, Franklin, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, and York.

Court for the Southern Division shall be held at Portland.

§ 100. Maryland

Maryland constitutes one judicial district.

Court shall be held at Baltimore, Cumberland, and Denton.

§ 101. Massachusetts

Massachusetts constitutes one judicial district.

Court shall be held at Boston, New Bedford, Springfield, and Worcester.

§ 102. Michigan

Michigan is divided into two judicial districts to be known as the Eastern and Western Districts of Michigan.

Eastern District

(a) The Eastern District comprises two divisions.

(1) The Southern Division comprises the counties of Branch, Calhoun, Clinton, Hillsdale, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, Saint Clair, Sanilac, Washtenaw, and Wayne.

Court for the Southern Division shall be held at Detroit.

(2) The Northern Division comprises the counties of Alcona, Alpena, Arenac, Bay, Cheboygan, Clare, Crawford, Genesee, Gladwin, Gratiot, Huron, Iosco, Isabella, Midland, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle, Roscommon, Saginaw, Shiawassee, and Tuscola.

Court for the Northern Division shall be held at Bay City and Port Huron.

Western District

(b) The Western District comprises two divisions.

(1) The Southern Division comprises the counties of Allegan, Antrim, Barry, Benzie, Berrien, Cass, Charlevoix, Eaton, Emmet, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, Saint Joseph, Van Buren, and Wexford.

Court for the Southern Division shall be held at Grand Rapids.

(2) The Northern Division comprises the counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft.

Court for the Northern Division shall be held at Marquette and Sault Sainte Marie.

§ 103. Minnesota

Minnesota constitutes one judicial district comprising six divisions.

(1) The First Division comprises the counties of Dodge, Fillmore, Houston, Mower, Olmsted, Steele, Wabasha, and Winona.

Court for the First Division shall be held at Winona.

(2) The Second Division comprises the counties of Blue Earth, Brown, Cottonwood, Faribault, Freeborn, Jackson, Lac qui Parle, Le Sueur, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, Sibley, Waseca, Watonwan, and Yellow Medicine.

Court for the Second Division shall be held at Mankato.

(3) The Third Division comprises the counties of Chisago, Dakota, Goodhue, Ramsey, Rice, Scott, and Washington.

Court for the Third Division shall be held at Saint Paul.

(4) The Fourth Division comprises the counties of Anoka, Carver, Chippewa, Hennepin, Isanti, Kandiyohi, McLeod, Meeker, Renville, Sherburne, Swift, and Wright.

Court for the Fourth Division shall be held at Minneapolis.

(5) The Fifth Division comprises the counties of Aitkin, Benton, Carlton, Cass, Cook, Crow Wing, Itasca, Kanabec, Koochiching, Lake, Mille Lacs, Morrison, Pine, and Saint Louis.

Court for the Fifth Division shall be held at Duluth.

(6) The Sixth Division comprises the counties of Becker, Beltrami, Big Stone, Clay, Clearwater, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stearns, Stevens, Todd, Traverse, Wadena, and Wilkin.

Court for the Sixth Division shall be held at Fergus Falls.

§ 104. Mississippi

Mississippi is divided into two judicial districts to be known as the Northern and Southern Districts of Mississippi.

Northern District

(a) The Northern District comprises three divisions.

(1) Eastern Division comprises the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston.

Court for the Eastern Division shall be held at Aberdeen.

(2) The Western Division comprises the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalobusha.

Court for the Western Division shall be held at Oxford.

(3) The Delta Division comprises the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica.

Court for the Delta Division shall be held at Clarksdale.

Southern District

(b) The Southern District comprises five divisions.

(1) The Jackson Division comprises the counties of Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Scott, Simpson, Smith, Wilkinson, and Yazoo.

Court for the Jackson Division shall be held at Jackson.

(2) The Eastern Division comprises the counties of Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne.

Court for the Eastern Division shall be held at Meridian.

(3) The Western Division comprises the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington.

Court for the Western Division shall be held at Vicksburg.

(4) The Southern Division comprises the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone.

Court for the Southern Division shall be held at Biloxi.

(5) The Hattiesburg Division comprises the counties of Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall.

Court for the Hattiesburg Division shall be held at Hattiesburg.

§ 105. Missouri

Missouri is divided into two judicial districts to be known as the Eastern and Western Districts of Missouri.

Eastern District

(a) The Eastern District comprises three divisions.

(1) The Eastern Division comprises the counties of Audrain, Crawford, Dent, Franklin, Gasconade, Iron, Jefferson, Lincoln, Maries, Montgomery, Phelps, Saint Charles, Saint Francois, Saint Genevieve, Saint Louis, Warren, and Washington, and the city of Saint Louis.

Court for the Eastern Division shall be held at Saint Louis.

(2) The Northern Division comprises the counties of Adair, Chariton, Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Pike, Ralls, Randolph, Schuyler, Scotland, and Shelby.

Court for the Northern Division shall be held at Hannibal.

(3) The Southeastern Division comprises the counties of Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, Shannon, Stoddard, and Wayne.

Court for the Southeastern Division shall be held at Cape Girardeau.

Western District

(b) The Western District comprises five divisions.

(1) The Western Division comprises the counties of Bates, Caldwell, Carroll, Cass, Clay, Grundy, Henry, Jackson, Johnson, Lafayette, Livingston, Mercer, Putnam, Ray, Saint Clair, Saline, and Sullivan.

Court for the Western Division shall be held at Chillicothe and Kansas City.

(2) The Southwestern Division comprises the counties of Barton, Barry, Jasper, Lawrence, McDonald, Newton, Stone, and Vernon.

Court for the Southwestern Division shall be held at Joplin.

(3) The Saint Joseph Division comprises the counties of Andrew, Atchison, Buchanan, Clinton, Daviess, De Kalb, Gentry, Harrison, Holt, Nodaway, Platte, and Worth.

Court for the Saint Joseph Division shall be held at Saint Joseph.

(4) The Central Division comprises the counties of Benton, Boone, Callaway, Camden, Cole, Cooper, Hickory, Howard, Miller, Moniteau, Morgan, Osage, and Pettis.

Court for the Central Division shall be held at Jefferson City.

(5) The Southern Division comprises the counties of Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Oregon, Ozark, Polk, Pulaski, Taney, Texas, Webster, and Wright.

Court for the Southern Division shall be held at Springfield.

§ 106. Montana

Montana, exclusive of Yellowstone National Park, constitutes one judicial district.

Court shall be held at Billings, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Lewistown, Livingston, Miles City, and Missoula.

§ 107. Nebraska

Nebraska constitutes one judicial district comprising eight divisions.

(1) The Chadron Division comprises the counties of Box Butte, Cherry, Dawes, Sheridan, and Sioux.

Court for the Chadron Division shall be held at Chadron.

(2) The Grand Island Division comprises the counties of Blaine, Buffalo, Custer, Garfield, Grant, Greeley, Hall, Hooker, Howard, Loup, Merrick, Sherman, Thomas, and Valley.

Court for the Grand Island Division shall be held at Grand Island.

(3) The Hastings Division comprises the counties of Adams, Clay, Franklin, Harlan, Kearney, Nuckolls, Phelps, and Webster.

Court for the Hastings Division shall be held at Hastings.

(4) The Lincoln Division comprises the counties of Butler, Cass, Fillmore, Gage, Hamilton, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Polk, Richardson, Saline, Saunders, Seward, Thayer, and York.

Court for the Lincoln Division shall be held at Lincoln.

(5) The McCook Division comprises the counties of Chase, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Perkins, and Redwillow.

Court for the McCook Division shall be held at McCook.

(6) The Norfolk Division comprises the counties of Antelope, Boyd, Brown, Holt, Keya Paha, Knox, Madison, Pierce, Rock, Stanton, and Wayne.

Court for the Norfolk Division shall be held at Norfolk.

(7) The North Platte Division comprises the counties of Arthur, Banner, Cheyenne, Dawson, Deuel, Garden, Keith, Kimball, Lincoln, Logan, McPherson, Morrill, and Scotts Bluff.

Court for the North Platte Division shall be held at North Platte.

(8) The Omaha Division comprises the counties of Boone, Burt, Cedar, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Nance, Platte, Sarpy, Thurston, Washington, and Wheeler.

Court for the Omaha Division shall be held at Omaha.

§ 108. Nevada

Nevada constitutes one judicial district.

Court shall be held at Carson City, Elko, Las Vegas and Reno

§ 109. New Hampshire

New Hampshire constitutes one judicial district.

Court shall be held at Concord and Littleton.

§ 110. New Jersey

New Jersey constitutes one judicial district.

Court shall be held at Camden, Newark and Trenton.

§ 111. New Mexico

New Mexico constitutes one judicial district.

Court shall be held at Albuquerque, Las Cruces, Las Vegas, Roswell, Santa Fe, and Silver City.

§ 112. New York

New York is divided into four judicial districts to be known as the Northern, Southern, Eastern, and Western Districts of New York.

Northern District

(a) The Northern District comprises the counties of Albany, Broome, Cayuga, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, Saint Lawrence, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Warren, and Washington.

Court for the Northern District shall be held at Albany, Auburn, Binghamton, Malone, Syracuse, and Utica.

Southern District

(b) The Southern District comprises the counties of Bronx, Columbia, Dutchess, Greene, New York, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester and concurrently with the Eastern District, the waters within the Eastern District.

Court for the Southern District shall be held at New York.

Eastern District

(c) The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk and concurrently with the Southern District, the waters within the counties of Bronx and New York.

Court for the Eastern District shall be held at Brooklyn.

Western District

(d) The Western District comprises the counties of Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

Court for the Western District shall be held at Buffalo, Canandaigua, Elmira, Jamestown, and Rochester.

§ 113. North Carolina

North Carolina is divided into three judicial districts to be known as the Eastern, Middle, and Western Districts of North Carolina.

Eastern District

(a) The Eastern District comprises the counties of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Robeson, Sampson, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson.

Court for the Eastern District shall be held at Elizabeth City, Fayetteville, New Bern, Raleigh, Washington, Wilmington, and Wilson.

Middle District

(b) The Middle District comprises the counties of Alamance, Alleghany, Ashe, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsythe, Guilford, Hoke, Lee, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Surry, Watauga, Wilkes, and Yadkin.

Court for the Middle District shall be held at Durham, Greensboro, Rockingham, Salisbury, Wilkesboro, and Winston-Salem.

Western District

(c) The Western District comprises the counties of Alexander, Anson, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland, Gaston, Graham, Haywood, Henderson, Iredell, Jackson, Lincoln, McDowell, Macon, Madison, Mecklenburg, Mitchell, Polk, Rutherford, Swain, Transylvania, Union, and Yancey.

Court for the Western District shall be held at Asheville, Bryson City, Charlotte, Shelby, and Statesville.

§ 114. North Dakota

North Dakota constitutes one judicial district comprising four divisions.

(1) The Southwestern Division comprises the counties of Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McLean, Mercer, Morton, Oliver, Sioux, Slope, and Stark.

Court for the Southwestern Division shall be held at Bismarck.

(2) The Southeastern Division comprises the counties of Barnes, Cass, Dickey, Eddy, Foster, Griggs, La Moure, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, and Wells.

Court for the Southeastern Division shall be held at Fargo.

(3) The Northeastern Division comprises the counties of Benson, Bottineau, Cavalier, Grand Forks, McHenry, Nelson, Pembina, Pierce, Ramsey, Rolette, Towner, Traill, and Walsh.

Court for the Northeastern Division shall be held at Grand Forks.

(4) The Northwestern Division comprises the counties of Burke, Divide, McKenzie, Mountrail, Renville, Ward, and Williams.

Court for the Northwestern Division shall be held at Minot.

§ 115. Ohio

Ohio is divided into two judicial districts to be known as the Northern and Southern Districts of Ohio.

Northern District

(a) The Northern District comprises two divisions.

(1) The Eastern Division comprises the counties of Ashland, Ashtabula, Carroll, Columbiana, Crawford, Cuyahoga, Geauga, Holmes, Lake, Lorain, Mahoning, Medina, Portage, Richland, Stark, Summit, Trumbull, Tuscarawas, and Wayne.

Court for the Eastern Division shall be held at Cleveland and Youngstown.

(2) The Western Division comprises the counties of Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Woods, and Wyandot.

Court for the Western Division shall be held at Lima and Toledo.

Southern District

(b) The Southern District comprises two divisions.

(1) The Western Division comprises the counties of Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Lawrence, Miami, Montgomery, Preble, Scioto, Shelby, and Warren.

Court for the Western Division shall be held at Cincinnati and Dayton.

(2) The Eastern Division comprises the counties of Athens, Belmont, Coshocton, Delaware, Fairfield, Fayette, Franklin, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Knox, Licking, Logan, Madison, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Union, Vinton, and Washington.

Court for the Eastern Division shall be held at Columbus and Steubenville.

§ 116. Oklahoma

Oklahoma is divided into three judicial districts to be known as the Northern, Eastern, and Western Districts of Oklahoma.

Northern District

(a) The Northern District comprises the counties of Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, and Washington.

Court for the Northern District shall be held at Bartlesville, Miami, Pawhuska, Tulsa, and Vinita.

Eastern District

(b) The Eastern District comprises the counties of Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Coal, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, Le Flore, Love, McClain, McCurtain, McIntosh, Marshall, Murray, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, Stephens, and Wagoner.

Court for the Eastern District shall be held at Ada, Ardmore, Chickasha, Durant, Hugo, Muskogee, Okmulgee, Pauls Valley, Poteau, and S. McAlester.

Western District

(c) The Western District comprises the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Noble, Oklahoma, Payne, Pottawatomie, Roger Mills, Texas, Tillman, Washita, Woods, and Woodward.

Court for the Western District shall be held at Enid, Guthrie, Lawton, Mangum, Oklahoma City, Ponca City, Shawnee, and Woodward.

§ 117. Oregon

Oregon constitutes one judicial district.

Court shall be held at Medford, Klamath Falls, Pendleton, and Portland.

§ 118. Pennsylvania

Pennsylvania is divided into three judicial districts to be known as the Eastern, Middle, and Western Districts of Pennsylvania.

Eastern District

(a) The Eastern District comprises the counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill.

Court for the Eastern District shall be held at Easton and Philadelphia.

Middle District

(b) The Middle District comprises the counties of Adams, Bradford, Cameron, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lebanon, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York.

Court for the Middle District shall be held at Harrisburg, Lewisburg, Scranton, Wilkes-Barre, and Williamsport.

Western District

(c) The Western District comprises the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland.

Court for the Western District shall be held at Erie and Pittsburgh.

§ 119. Puerto Rico

Puerto Rico constitutes one judicial district.
Court shall be held at Mayaguez, Ponce, and San Juan.

§ 120. Rhode Island

Rhode Island constitutes one judicial district.
Court shall be held at Providence.

§ 121. South Carolina

South Carolina is divided into two judicial districts to be known as the Eastern and Western Districts of South Carolina.

Eastern District

(a) The Eastern District comprises five divisions.

(1) The Charleston Division comprises the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper.

Court for the Charleston Division shall be held at Charleston.

(2) The Columbia Division comprises the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

Court for the Columbia Division shall be held at Columbia.

(3) The Florence Division comprises the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg.

Court for the Florence Division shall be held at Florence.

(4) The Aiken Division comprises the counties of Aiken, Allendale, Barnwell, and Hampton.

Court for the Aiken Division shall be held at Aiken.

(5) The Orangeburg Division comprises the counties of Bamberg, Calhoun, and Orangeburg.

Court for the Orangeburg Division shall be held at Orangeburg.

Western District

(b) The Western District comprises five divisions.

(1) The Greenville Division comprises the counties of Greenville and Laurens.

Court for the Greenville Division shall be held at Greenville.

(2) The Rock Hill Division comprises the counties of Chester, Fairfield, Lancaster, and York.

Court for the Rock Hill Division shall be held at Rock Hill.

(3) The Greenwood Division comprises the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda.

Court for the Greenwood Division shall be held at Greenwood.

(4) The Anderson Division comprises the counties of Anderson, Oconee, and Pickens.

Court for the Anderson Division shall be held at Anderson.

(5) The Spartanburg Division comprises the counties of Cherokee, Spartanburg, and Union.

Court for the Spartanburg Division shall be held at Spartanburg.

§ 122. South Dakota

South Dakota constitutes one judicial district comprising four divisions.

(1) The Northern Division comprises the counties of Brown, Campbell, Clark, Codington, Corson, Day, Deuel, Edmonds, Grant, Hamlin, McPherson, Marshall, Roberts, Spink, and Walworth.

Court for the Northern Division shall be held at Aberdeen.

(2) The Southern Division comprises the counties of Aurora, Beadle, Bon Homme, Brookings, Brule, Charles Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Kingsbury, Lake, Lincoln,

McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union, and Yankton.

Court for the Southern Division shall be held at Sioux Falls.

(3) The Central Division comprises the counties of Armstrong, Buffalo, Dewey, Faulk, Haakon, Hand, Hughes, Hyde, Jackson, Jerauld, Jones, Lyman, Potter, Stanley, Sully, and Ziebach.

Court for the Central Division shall be held at Pierre.

(4) The Western Division comprises the counties of Bennett, Butte, Custer, Fall River, Harding, Lawrence, Meade, Mellette, Pennington, Perkins, Shannon, Todd, Tripp, Washabaugh, and Washington.

Court for the Western Division shall be held at Deadwood.

§ 123. Tennessee

Tennessee is divided into three judicial districts to be known as the Eastern, Middle, and Western Districts of Tennessee.

Eastern District

(a) The Eastern District comprises four divisions.

(1) The Northern Division comprises the counties of Anderson, Blount, Campbell, Claiborne, Grainger, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, and Union.

Court for the Northern Division shall be held at Knoxville.

(2) The Northeastern Division comprises the counties of Carter, Cocke, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington.

Court for the Northeastern Division shall be held at Greenville.

(3) The Southern Division comprises the counties of Bledsoe, Bradley, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, and Sequatchie.

Court for the Southern Division shall be held at Chattanooga.

(4) The Winchester Division comprises the counties of Bedford, Coffee, Franklin, Grundy, Lincoln, Moore, Van Buren, and Warren.

Court for the Winchester Division shall be held at Winchester.

Middle District

(b) The Middle District comprises three divisions.

(1) The Nashville Division comprises the counties of Cannon, Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, and Wilson.

Court for the Nashville Division shall be held at Nashville.

(2) The Northeastern Division comprises the counties of Clay, Cumberland, De Kalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, and White.

Court for the Northeastern Division shall be held at Cookeville.

(3) The Columbia Division comprises the counties of Giles, Hickman, Lawrence, Lewis, Marshall, Maury, and Wayne.

Court for the Columbia Division shall be held at Columbia.

Western District

(c) The Western District comprises two divisions.

(1) The Eastern Division comprises the counties of Benton, Carroll, Chester, Crockett, Decatur, Gibson, Hardeman, Hardin, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley.

The Eastern Division also includes the waters of Tennessee River

to low-water mark on the eastern shore wherever such river forms the boundary between the western and middle districts from the north line of Alabama north to the point in Henry County, Tennessee, where the south boundary of Kentucky strikes the east bank of the river.

Court for the Eastern Division shall be held at Jackson.

(2) The Western Division comprises the counties of Dyer, Fayette, Haywood, Lauderdale, Shelby, and Tipton.

Court for the Western Division shall be held at Memphis.

The district judge for the Eastern District in office on November 27, 1940, shall hold court in the Northern and Northeastern Divisions. The other judge of that district shall hold the terms of court in the Southern and Winchester Divisions. Each may appoint and remove all officers and employees of the court whose official headquarters are located in the divisions within which he holds court and whose appointments are vested by law in a district judge or chief judge of a district.

§ 124. Texas

Texas is divided into four judicial districts to be known as the Northern, Southern, Eastern, and Western Districts of Texas.

Northern District

(a) The Northern District comprises seven divisions.

(1) The Dallas Division comprises the counties of Dallas, Ellis, Hunt, Johnson, Kaufman, Navarro, and Rockwall.

Court for the Dallas Division shall be held at Dallas.

(2) The Fort Worth Division comprises the counties of Comanche, Erath, Hood, Jack, Palo Pinto, Parker, Tarrant, and Wise.

Court for the Fort Worth Division shall be held at Fort Worth.

(3) The Abilene Division comprises the counties of Callahan, Eastland, Fisher, Haskell, Howard, Jones, Mitchell, Nolan, Shackleford, Stephens, Stonewall, Taylor, and Throckmorton.

Court for the Abilene Division shall be held at Abilene.

(4) The San Angelo Division comprises the counties of Brown, Coke, Coleman, Concho, Crockett, Glasscock, Irion, Menard, Mills, Reagan, Runnels, Schleicher, Sterling, Sutton, and Tom Green.

Court for the San Angelo Division shall be held at San Angelo.

(5) The Amarillo Division comprises the counties of Armstrong, Brisco, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler.

Court for the Amarillo Division shall be held at Amarillo.

(6) The Wichita Falls Division comprises the counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, King, Knox, Montague, Wichita, Wilbarger, and Young.

Court for the Wichita Falls Division shall be held at Wichita Falls.

(7) The Lubbock Division comprises the counties of Bailey, Borden, Cochran, Crosby, Dawson, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Kent, Lamb, Lubbock, Lynn, Motley, Scurry, Terry, and Yoakum.

Court for the Lubbock Division shall be held at Lubbock.

Southern District

(b) The Southern District comprises six divisions.

(1) The Galveston Division comprises the counties of Austin, Brazoria, Chambers, Fort Bend, Galveston, Matagorda, and Wharton.

Court for the Galveston Division shall be held at Galveston.

(2) The Houston Division comprises the counties of Brazos, Colorado, Fayette, Grimes, Harris, Madison, Montgomery, Polk, San Jacinto, Trinity, Walker, and Waller.

Court for the Houston Division shall be held at Houston.

(3) The Laredo Division comprises the counties of Jim Hogg, La Salle, McMullen, Webb, and Zapata.

Court for the Laredo Division shall be held at Laredo.

(4) The Brownsville Division comprises the counties of Cameron, Hidalgo, Starr, and Willacy.

Court for the Brownsville Division shall be held at Brownsville.

(5) The Victoria Division comprises the counties of Calhoun, DeWitt, Goliad, Jackson, Lavaca, Refugio, and Victoria.

Court for the Victoria Division shall be held at Victoria.

(6) The Corpus Christi Division comprises the counties of Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleburg, Live Oak, Nueces, and San Patricio.

Court for the Corpus Christi Division shall be held at Corpus Christi.

Eastern District

(c) The Eastern District comprises six divisions.

(1) The Tyler Division comprises the counties of Anderson, Angelina, Cherokee, Gregg, Henderson, Houston, Nacogdoches, Panola, Rains, Rusk, Smith, Van Zandt, and Wood.

Court for the Tyler Division shall be held at Tyler.

(2) The Beaumont Division comprises the counties of Hardin, Jasper, Jefferson, Liberty, Newton, Orange, Sabine, San Augustine, Shelby, and Tyler.

Court for the Beaumont Division shall be held at Beaumont.

(3) The Sherman Division comprises the counties of Collin, Cook, Denton, and Grayson.

Court for the Sherman Division shall be held at Sherman.

(4) The Paris Division comprises the counties of Delta, Fannin, Lamar, and Red River.

Court for the Paris Division shall be held at Paris.

(5) The Jefferson Division comprises the counties of Camp, Cass, Harrison, Hopkins, Marion, Morris, and Upshur.

Court for the Jefferson Division shall be held at Jefferson.

(6) The Texarkana Division comprises the counties of Bowie, Franklin, and Titus.

Court for the Texarkana Division shall be held at Texarkana.

Western District

(d) The Western District comprises six divisions.

(1) The Austin Division comprises the counties of Bastrop, Blanco, Burleson, Burnet, Caldwell, Gillespie, Hays, Kimble, Lampasas, Lee, Llano, Mason, McCulloch, San Saba, Travis, Washington, and Williamson.

Court for the Austin Division shall be held at Austin.

(2) The Waco Division comprises the counties of Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Leon, Limestone, McLennan, Milam, Robertson, and Somervell.

Court for the Waco Division shall be held at Waco.

(3) The El Paso Division comprises the counties of Brewster, Culberson, El Paso, Hudspeth, and Presidio.

Court for the El Paso Division shall be held at El Paso.

(4) The San Antonio Division comprises the counties of Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Gonzales, Guadalupe, Karnes, Kendall, Kerr, Medina, Real, and Wilson.

Court for the San Antonio Division shall be held at San Antonio.

(5) The Del Rio Division comprises the counties of Kinney, Maverick, Terrell, Uvalde, Val Verde, and Zavalla.

Court for the Del Rio Division shall be held at Del Rio.

(6) The Pecos Division comprises the counties of Andrews, Crane, Ector, Jeff Davis, Loving, Martin, Midland, Pecos, Reeves, Upton, Ward, and Winkler.

Court for the Pecos Division shall be held at Pecos.

§ 125. Utah

Utah constitutes one judicial district comprising two divisions.

(1) The Northern Division comprises the counties of Box Elder, Cache, Davis, Morgan, Rich, and Weber.

Court for the Northern Division shall be held at Ogden.

(2) The Central Division comprises the counties of Beaver, Carbon, Daggett, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Piute, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, and Wayne.

Court for the Central Division shall be held at Salt Lake City.

§ 126. Vermont

Vermont constitutes one judicial district.

Court shall be held at Brattleboro, Burlington, Rutland, and Windsor.

§ 127. Virginia

Virginia is divided into two judicial districts, to be known as the Eastern and Western districts of Virginia.

Eastern District

(a) The Eastern District comprises the counties of Accomac, Amelia, Arlington, Brunswick, Caroline, Charles City, Chesterfield, Culpeper, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Gloucester, Goochland, Greensville, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Prince William, Princess Anne, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, and York.

Court for the Eastern District shall be held at Alexandria, Newport News, Norfolk, and Richmond.

Western District

(b) The Western District comprises the counties of Albemarle, Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Clarke, Craig, Cumberland, Dickenson, Floyd, Fluvanna, Franklin, Frederick, Giles, Grayson, Greene, Halifax, Henry, Highland, Lee, Madison, Montgomery, Nelson, Page, Patrick, Pittsylvania, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe.

Court for the Western District shall be held at Abingdon, Big

Stone Gap, Charlottesville, Danville, Harrisonburg, Lynchburg, and Roanoke.

§ 128. Washington

Washington is divided into two judicial districts to be known as the Eastern and Western Districts of Washington.

Eastern District

(a) The Eastern District comprises two divisions.

(1) The Northern Division comprises the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.

Court for the Northern Division shall be held at Spokane.

(2) The Southern Division comprises the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.

Court for the Southern Division shall be held at Yakima and Walla Walla.

Western District

(b) The Western District comprises two divisions.

(1) The Northern Division comprises the counties of Clallam, Island, Jefferson, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom.

Court for the Northern Division shall be held at Bellingham and Seattle.

(2) The Southern Division comprises the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum.

Court for the Southern Division shall be held at Tacoma.

§ 129. West Virginia

West Virginia is divided into two judicial districts to be known as the Northern and Southern Districts of West Virginia.

Northern District

(a) The Northern District comprises the counties of Barbour, Berkeley, Brooke, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson, Lewis, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pendleton, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt, and Wood.

Court for the Northern District shall be held at Clarksburg, Elkins, Fairmont, Martinsburg, Parkersburg, and Wheeling.

Southern District

(b) The Southern District comprises the counties of Boone, Braxton, Cabell, Clay, Fayette, Greenbrier, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mercer, Mingo, Monroe, Nicholas, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, and Wyoming.

Court for the Southern District shall be held at Beckley, Bluefield, Charleston, Huntington, and Lewisburg.

§ 130. Wisconsin

Wisconsin is divided into two judicial districts to be known as the Eastern and Western districts of Wisconsin.

Eastern District

(a) The Eastern District comprises the counties of Brown, Calumet, Dodge, Door, Florence, Fond du Lac, Forest, Green Lake, Kenosha, Kewaunee, Langlade, Manitowoc, Marinette, Marquette, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago.

Court for the Eastern District shall be held at Green Bay, Milwaukee, and Oshkosh.

Western District

(b) The Western District comprises the counties of Adams, Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Columbia, Crawford, Dane, Douglas, Dunn, Eau Claire, Grant, Green, Iowa, Iron, Jackson, Jefferson, Juneau, La Crosse, Lafayette, Lincoln, Marathon, Monroe, Oneida, Pepin, Pierce, Polk, Portage, Price, Richland, Rock, Rusk, Saint Croix, Sauk, Sawyer, Taylor, Trempealeau, Vernon, Vilas, Washburn, and Wood.

Court for the Western District shall be held at Eau Claire, La Crosse, Madison, Superior, and Wausau.

§ 131. Wyoming

Wyoming and those portions of Yellowstone National Park situated in Montana and Idaho constitute one judicial district.

Court shall be held at Casper, Cheyenne, Evanston, Lander, and Sheridan.

§ 132. Creation and composition of district courts

(a) There shall be in each judicial district a district court which shall be a court of record known as the United States District Court for the district.

(b) Each district court shall consist of the district judge or judges for the district in active service. Justices or judges designated or assigned shall be competent to sit as judges of the court.

(c) Except as otherwise provided by law, or rule or order of court, the judicial power of a district court with respect to any action, suit or proceeding may be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges.

§ 133. Appointment and number of district judges

The President shall appoint, by and with the advice and consent of the Senate, district judges for the several judicial districts, as follows:

Districts	Judges	Districts	Judges
Alabama:		Colorado	1
Northern	2	Connecticut	2
Middle	1	Delaware	1
Southern	1	District of Columbia	12
Arizona	2	Florida:	
Arkansas:		Northern	1
Eastern	1	Southern	3
Western	1	Georgia:	
Eastern and Western	1	Northern	1
California:		Middle	1
Northern	5	Southern	1
Southern	8	Hawaii	2

Districts	Judges
Idaho	1
Illinois:	
Northern	6
Southern	2
Eastern	2
Indiana:	
Northern	1
Southern	1
Iowa:	
Northern	1
Southern	1
Kansas	1
Kentucky:	
Eastern	1
Western	1
Eastern and Western	1
Louisiana:	
Eastern	2
Western	2
Maine	1
Maryland	2
Massachusetts	4
Michigan:	
Eastern	5
Western	1
Minnesota	4
Mississippi:	
Northern	1
Southern	1
Missouri:	
Eastern	2
Western	2
Eastern and Western	1
Montana	2
Nebraska	2
Nevada	1
New Hampshire	1
New Jersey	5
New Mexico	1
New York:	
Northern	2
Southern	12
Eastern	6
Western	2
North Carolina:	
Eastern	1
Western	1
Middle	1
North Dakota	1
Ohio:	
Northern	3
Southern	3
Oklahoma:	
Northern	1
Eastern	1
Western	1
Northern, Eastern, and Western	1
Oregon	2
Pennsylvania:	
Eastern	5
Middle	2
Western	3
Puerto Rico	1
Rhode Island	1
South Carolina:	
Eastern	1
Western	1
Eastern and Western	1
South Dakota	1
Tennessee:	
Eastern	2
Middle	1
Western	1
Texas:	
Northern	3
Southern	2
Eastern	1
Western	2
Utah	1
Vermont	1
Virginia:	
Eastern	2
Western	2
Washington:	
Eastern	1
Western	2
Eastern and Western	1
West Virginia:	
Northern	1
Southern	1
Wisconsin:	
Eastern	1
Western	1
Wyoming	1

Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as district judges for the district of Hawaii.

§ 134. Tenure and residence of district judges

(a) The district judges, except in Hawaii and Puerto Rico, shall hold office during good behavior. The district judges in Hawaii and Puerto Rico shall hold office for terms of six and eight years, respectively, and until their successors are appointed and qualified.

(b) Each district judge, except in the District of Columbia, shall reside in the district or one of the districts for which he is appointed.

§ 135. Salaries of district judges

Each judge of a district court of the United States shall receive a salary of $15,000 a year.

The chief judge of the District Court for the District of Columbia shall receive a salary of $15,500 a year.

§ 136. Chief judges; precedence of district judges

(a) In each district having more than one judge the district judge senior in commission shall be the chief judge of the district court.

(b) The chief judge shall have precedence and preside at any session which he attends.

Other district judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

(c) A judge whose commission extends over more than one district shall be junior to all district judges except in the district in which he resided at the time he entered upon the duties of his office.

(d) If the chief judge desires to be relieved of his duties as chief judge while retaining his active status as district judge, he may so certify to the Chief Justice of the United States, and thereafter the district judge in active service next in precedence and willing to serve shall be designated by the Chief Justice as the chief judge of the district court.

(e) If a chief judge is temporarily unable to perform his duties as such, they shall be performed by the district judge in active service, present in the district and able and qualified to act, who is next in precedence.

§ 137. Division of business among district judges

The business of a court having more than one judge shall be divided among the judges as provided by the rules and orders of the court.

The chief judge of the district court shall be responsible for the observance of such rules and orders, and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe.

If the district judges in any district are unable to agree upon the adoption of rules or orders for that purpose the judicial council of the circuit shall make the necessary orders.

§ 138. Times for holding regular terms

The times for holding regular terms of court at the places fixed by this chapter shall be determined by rule of the district court.

§ 139. Term continued until terminated

A term of a district court continues for all purposes until terminated by order of final adjournment or by commencement of the next general or special term at the same place.

§ 140. Adjournment

(a) Any district court may by order made anywhere within its district, adjourn, or with the consent of the judicial council of the circuit, pretermit any term of court for insufficient business or other good cause.

(b) If the judge of a district court is unable to attend and unable to make an order of adjournment, the clerk may adjourn the court to the next regular term or to any earlier day which he may determine.

§ 141. Special terms; places; notice

Special terms of district court may be held at such places in the district as the nature of the business may require, and upon such

notice as the court orders, pursuant to rules approved by the judicial council of the circuit.

Any business may be transacted at a special term which might be transacted at a regular term.

§ 142. Accommodations at places for holding court

Court shall be held only at places where Federal quarters and accommodations are available, or suitable quarters and accommodations are furnished without cost to the United States.

§ 143. Vacant judgeship as affecting proceedings

When the office of a district judge becomes vacant, all pending process, pleadings and proceedings shall, when necessary, be continued by the clerk until a judge is appointed or designated to hold such court.

§ 144. Bias or prejudice of judge

Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.

The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit as to any judge. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith.

CHAPTER 7—COURT OF CLAIMS

Sec.

171. Appointment and number of judges.
172. Precedence of judges.
173. Tenure and salaries of judges.
174. Terms.
175. Quorum.

§ 171. Appointment and number of judges

The President shall appoint, by and with the advice and consent of the Senate, a chief judge and four associate judges who shall constitute a court of record known as the United States Court of Claims.

§ 172. Precedence of judges

The chief judge of the Court of Claims shall have precedence and preside at any session of the court which he attends.

The other judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

§ 173. Tenure and salaries of judges

The chief judge and associate judges of the Court of Claims shall hold office during good behavior. Each shall receive a salary of $17,500 a year.

§ 174. Terms

The Court of Claims shall hold at the seat of government an annual term at a time to be fixed by rule of court.

§ 175. Quorum

Three judges of the Court of Claims constitute a quorum. The concurrence of three judges is necessary to any decision.

CHAPTER 9—COURT OF CUSTOMS AND PATENT APPEALS

Sec.
211. Appointment and number of judges.
212. Precedence of judges.
213. Tenure and salaries of judges.
214. Sessions.
215. Quorum.
216. Opinions.

§ 211. Appointment and number of judges

The President shall appoint, by and with the advice and consent of the Senate, a chief judge and four associate judges who shall constitute a court of record known as the United States Court of Customs and Patent Appeals.

§ 212. Precedence of judges.

The chief judge of the Court of Customs and Patent Appeals shall have precedence and preside at any session of the court which he attends.

The associate judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

§ 213. Tenure and salaries of judges

Judges of the Court of Customs and Patent Appeals shall hold office during good behavior. Each shall receive a salary of $17,500 a year.

§ 214. Sessions

The Court of Customs and Patent Appeals may hold court at such times and places as it may fix by rule.

§ 215. Quorum

Three judges of the Court of Customs and Patent Appeals constitute a quorum. The concurrence of three judges is necessary to any decision.

§ 216. Opinions

The Court of Customs and Patent Appeals, on each appeal from a Patent Office decision, shall file a written opinion as part of the record and send a certified copy to the Commissioner of Patents who shall record it in the Patent Office.

CHAPTER 11—CUSTOMS COURT

Sec.
251. Appointment and number of judges; offices.
252. Tenure and salaries of judges.
253. Duties of chief judge; precedence of judges.
254. Divisions; powers and assignments.
255. Publication of decisions.

§ 251. Appointment and number of judges; offices

The President shall appoint, by and with the advice and consent of the Senate, nine judges who shall constitute a court of record known as the United States Customs Court. Not more than five of such judges shall be appointed from the same political party.

The President shall designate from time to time one of the judges to act as chief judge.

The offices of the court shall be located at the port of New York.

§ 252. Tenure and salaries of judges

Judge of the Customs Court shall hold office during good behavior. Each shall receive a salary of $15,000 a year.

§ 253. Duties of chief judge; precedence of judges

The chief judge of the Customs Court shall control the fiscal affairs and clerical force of the court; assign or reassign, before trial and under rules of the court, any case for hearing, determination, or both; and promulgate dockets.

The chief judge shall have precedence and preside at any session of the court which he attends. If he is temporarily unable to perform his duties as such, they shall be performed by the judge in active service, who is present, able and qualified to act, and next in precedence.

Judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

§ 254. Divisions; powers and assignments

The chief judge of the Customs Court shall divide the judges of such court into three divisions of three judges each, to hear and determine applications for the review of reappraisements of merchandise, protests against decisions of collectors, petitions for remission of additional duties and such other matters within the jurisdiction of the court as the chief judge may assign to them.

The chief judge may sit in any division. He may when necessary assign other judges to any division.

The chief judge may designate a judge or a division and necessary clerical assistants to proceed to any port within the jurisdiction of the United States to hear and determine cases assigned for hearing at such port.

A majority of the judges of any division may hear and determine all cases and questions pending therein.

§ 255. Publication of decisions

All decisions of the Customs Court shall be preserved and open to inspection. The court shall forward copies of each decision to the Secretary of the Treasury and the collector for the district in which the case arose. The Secretary shall publish weekly such decisions as he or the court may designate and abstracts of all other decisions.

CHAPTER 13—ASSIGNMENT OF JUDGES TO OTHER COURTS

Sec.

291. Circuit judges.
292. District judges.
293. Circuit or district judges to Court of Customs and Patent Appeals.
294. Assignment of retired justices or judges to active duty.
295. Conditions upon designation and assignment.
296. Powers upon designation and assignment.

§ 291. Circuit judges

(a) The Chief Justice of the United States may designate and assign temporarily any circuit judge to act as circuit judge in another circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises.

(b) The Chief Justice of the United States may designate and assign temporarily a judge of the Court of Customs and Patent Appeals to serve as a judge of the Court of Appeals or the District Court for the District of Columbia when requested by the chief judge of the court in need of such assistance.

(c) The chief judge of a circuit or the circuit justice may, in the public interest, designate and assign temporarily any circuit judge within the circuit, including a judge designated and assigned to temporary duty therein, to hold a district court in any district within the circuit.

§ 292. District judges

(a) The chief judge of a circuit may designate and assign one or more district judges within the circuit to sit upon the court of appeals or a division thereof whenever the business of that court so requires. Such designations or assignments shall be in conformity with the rules or orders of the court of appeals of the circuit.

(b) The chief judge of a circuit may, in the public interest, designate and assign temporarily any district judge of the circuit to hold a district court in any district within the circuit.

(c) The Chief Justice of the United States may designate and assign temporarily a district judge of one circuit for service in another circuit, either in a district court or court of appeals, upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises.

§ 293. Circuit or district judges to court of customs and patent appeals

The Chief Justice of the United States may, upon presentation to him by the chief judge of the Court of Customs and Patent Appeals of a certificate of necessity, designate and assign temporarily any circuit or district judge to perform such duties as judge of the Court of Customs and Patent Appeals as he is willing to undertake.

§ 294. Assignment of retired justices or judges to active duty

(a) Any retired Chief Justice of the United States or associate justice of the Supreme Court may be designated and assigned by the Chief Justice of the United States to perform such judicial duties in any circuit, including those of a circuit justice, as he is willing to undertake.

(b) Any retired circuit or district judge may be designated and assigned to perform such judicial duties in any circuit as he is willing to undertake. Designation and assignment of such judge for service within his circuit shall be made by the chief judge or judicial council of the circuit. Designation and assignment for service elsewhere shall be made by the Chief Justice of the United States.

(c) Any retired judge of any other court of the United States may be called upon by the chief judge of such court to perform such judicial duties in such court as he is willing to undertake.

(d) No retired justice or judge shall perform judicial duties except when designated and assigned.

§ 295. Conditions upon designation and assignment

No designation and assignment shall be made without the consent of the chief judge or judicial council of the circuit from which a judge is to be designated and assigned.

All designations and assignments of justices and judges shall be filed with the clerks and entered on the minutes of the courts from and to which made.

The Chief Justice of the United States, a circuit justice or a chief judge of a circuit may make new designations and assignments in accordance with the provisions of this chapter, and may revoke those previously made by him.

§ 296. Powers upon designation and assignment

A justice or judge shall discharge, during the period of his designation and assignment, all judicial duties for which he is designated and assigned. He may be required to perform any duty which might be required of a judge of the court or district or circuit to which he is designated and assigned.

Such justice or judge shall have all the powers of a judge of the court, circuit or district to which he is designated and assigned, except

the power to appoint any person to a statutory position or to designate permanently a depository of funds or a newspaper for publication of legal notices.

A justice or judge who has sat by designation and assignment in another district or circuit may, notwithstanding his absence from such district or circuit or the expiration of the period of his designation and assignment, decide or join in the decision and final disposition of all matters submitted to him during such period and in the consideration and disposition of applications for rehearing or further proceedings in such matters.

CHAPTER 15—CONFERENCES AND COUNCILS OF JUDGES

Sec.

331. Judicial Conference of the United States.
332. Judicial councils.
333. Judicial conferences of circuits.

§ 331. Judicial Conference of the United States

The Chief Justice of the United States shall summon annually the chief judges of the judicial circuits to a conference at such time and place in the United States as he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States.

If the chief judge of any circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the conference and advise as to the needs of his circuit and as to any matters in respect of which the administration of justice in the courts of the United States may be improved.

Survey of condition of business in U. S. courts.

The conference shall make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment of judges to or from circuits or districts where necessary, and shall submit suggestions to the various courts, in the interest of uniformity and expedition of business.

Report of Attorney General.

The Attorney General shall, upon request of the Chief Justice, report to such conference on matters relating to the business of the several courts of the United States, with particular reference to cases to which the United States is a party.

Report to Congress.

The Chief Justice shall submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation.

§ 332. Judicial councils

The chief judge of each circuit shall call, at least twice in each year and at such places as he may designate, a council of the circuit judges for the circuit, in active service, at which he shall preside. Each circuit judge, unless excused by the chief judge, shall attend all sessions of the council.

The council shall be known as the Judicial Council of the circuit.

The chief judge shall submit to the council the quarterly reports of the Director of the Administrative Office of the United States Courts. The council shall take such action thereon as may be necessary.

Each judicial council shall make all necessary orders for the effective and expeditious administration of the business of the courts within its circuit. The district judges shall promptly carry into effect all orders of the judicial council.

§ 333. Judicial conferences of circuits

The chief judge of each circuit shall summon annually the circuit and district judges of the circuit, in active service and residing within the continental United States, to a conference at a time and place that he designates, for the purpose of considering the business of the courts and advising means of improving the administration of justice within such circuit. He shall preside at such conference, which shall be known as the Judicial Conference of the circuit.

Every judge summoned shall attend, and unless excused by the chief judge, shall remain throughout the conference.

The court of appeals for each circuit shall provide by its rules for representation and active participation at such conference by members of the bar of such circuit.

CHAPTER 17—RESIGNATION AND RETIREMENT OF JUDGES

Sec.

371. Resignation or retirement for age; substitute judge on failure to retire.
372. Retirement for disability.
373. Judges in Territories and Possessions.
374. Residence of retired judges.

§ 371. Resignation or retirement for age; substitute judge on failure to retire

Any justice or judge of the United States appointed to hold office during good behavior who resigns after attaining the age of seventy years and after serving at least ten years continuously or otherwise shall, during the remainder of his lifetime, continue to receive the salary which he was receiving when he resigned.

Any justice or judge of the United States appointed to hold office during good behavior may retain his office but retire from regular active service after attaining the age of seventy years and after serving at least ten years continuously or otherwise. He shall, during the remainder of his lifetime, continue to receive the salary of the office.

Appointment of successor to retiring judge.

The President shall appoint, by and with the advice and consent of the Senate, a successor to a justice or judge who retires.

Appointment of additional judge.

Whenever any circuit or district judge eligible to resign or retire under this section does neither, and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and that the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate. If such additional judge is appointed, the vacancy subsequently caused by the death, resignation, or retirement of the disabled judge shall not be filled.

Any circuit or district judge who retires or whose disability causes the appointment of an additional judge, shall, for purposes of precedence, be treated as junior to the other judges of the circuit or district.

§ 372. Retirement for disability

Any justice or judge of the United States appointed to hold office during good behavior who becomes permanently disabled from performing his duties may retire from regular active service, and the President may appoint a successor.

Certification of disability.

Any justice or judge of the United States desiring to retire under this section shall certify to the President his disability in writing.

Whenever an associate justice of the Supreme Court, a chief judge of a circuit or the chief judge of the Court of Claims, Court of Customs

and Patent Appeals or Customs Court, desires to retire, he shall furnish to the President a certificate of disability signed by the Chief Justice of the United States.

A circuit or district judge, desiring to retire, shall furnish to the President a certificate of disability signed by the chief judge of his circuit.

A judge of the Court of Claims, Court of Customs and Patent Appeals, or Customs Court desiring to retire, shall furnish to the President a certificate of disability signed by the chief judge of his court.

Compensation.

Each justice or judge retiring under this section after serving ten years shall, during the remainder of his lifetime, receive the salary of the office. A justice or judge retiring under this section who has served less than ten years shall, during the remainder of his lifetime, receive one-half the salary of the office.

§ 373. Judges in Territories and Possessions

Any judge of the United States District Courts for the districts of Hawaii or Puerto Rico, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone or the District Court of the Virgin Islands and any justice of the Supreme Court of the Territory of Hawaii who resigns, retires, or fails of reappointment or is removed by the President of the United States upon the sole ground of mental or physical disability, after attaining the age of seventy years and after serving as judge of one or more of such courts, at least sixteen years, continuously or otherwise, shall continue to receive the salary which he received when he relinquished office.

If such service aggregated less than sixteen years but not less than ten years he shall receive that proportion of such salary which the total aggregate number of years of his service bears to sixteen.

Service in any of such courts shall be included in the computation of aggregate years of service.

§ 374. Residence of retired judges

Retired judges of the United States are not subject to restrictions as to residence.

CHAPTER 19—DISTRIBUTION OF REPORTS AND DIGESTS

Sec.

411. Supreme Court reports and digests; printing, binding, and distribution.
412. Supreme Court reports; cost and sale.
413. Reports, digests, and other publications; purchase and distribution.
414. Transmittal of books to successors.
415. Court of Claims decisions.

§ 411. Supreme Court reports and digests; printing, binding, and distribution

Decisions of Supreme Court.

(a) The decisions of the Supreme Court shall be printed, bound, and issued as soon as practicable after rendition. Distribution under this section shall not be made to any place where the court is held in a building not owned by the United States unless the volumes are committed to the custody of a United States officer there.

The Attorney General shall distribute one copy of each volume to: The President; Secretary of State; Secretary of the Treasury; Secretary of War; Secretary of the Navy; Secretary of the Interior; Postmaster General; Attorney General; Secretary of Agriculture; Secretary of Commerce; Secretary of Labor; Solicitor General; the Assistant to the Attorney General; each Assistant Attorney General; each United States attorney; each Assistant Secretary of each executive department; each Assistant Postmaster General; Secretary of

the Senate for use of Senate; Clerk of the House of Representatives for use of House; Senate Office of the Legislative Counsel; House Office of the Legislative Counsel; Governors of the Territories; Legal Adviser for Department of State; Treasurer of United States; General Counsel for Treasury Department; Comptroller General of the United States; Assistant Comptroller General; General Counsel of General Accounting Office; each chief of divisions in the General Accounting Office; Comptroller of the Currency; Director of the Budget; Assistant Director of the Budget; Commissioner of Internal Revenue; Director of the Mint; General Counsel of Bureau of the Budget; Judge Advocate General of the Army; Chief of Finance, War Department; Judge Advocate General of the Navy; Paymaster General of the Navy; Commissioner of Indian Affairs; Commissioner of the General Land Office; Administrator of Veterans' Affairs; Commissioner of Patents; Commissioner of Education; Chief of the Bureau of Marine Inspection and Navigation; Commissioner of Immigration and Naturalization; Director of the Geological Survey; Director of the Census; Chief Forester, National Park Service, Department of the Interior; Purchasing Agent of Post Office Department; Federal Trade Commission; Naval Academy; Military Academy; the heads of such other executive offices as may be provided by law of equal grade with any of such offices.

The Director of the Administrative Office of the United States Courts shall distribute one copy of each volume to the Clerk and one copy to the Marshal of the Supreme Court of the United States and one copy to each justice or judge of the United States and of the courts of the Territories and Possessions, and to each place where a court of appeals or district court is regularly held.

(b) Additional copies of such decisions, in the number specified, shall be distributed by the Attorney General to: Interstate Commerce Commission—sixteen copies; Library of Congress for the use of the law library and for international exchange—not to exceed one hundred and fifty copies each of the bound and advance editions; Law Library of the Department of the Interior—two copies; Law Library of the Department of Justice—five copies; Law Library of the Judge Advocate General of the Army—two copies; Secretary of the Senate for the use of committees of the Senate—thirty copies; Clerk of the House of Representatives for the use of committees of the House—thirty-five copies; Secretary of War for military headquarters which exercise general courtmartial jurisdiction—such number as the Secretary may specify, but not to exceed twenty-five copies in time of peace.

Additional copies of such decisions, in the number specified by the Chief Justice of the United States, shall be furnished by the Director of the Administrative Office of the United States Courts to the Supreme Court for use of the justices, retired justices, officers and employees, and library of the Supreme Court.

Reports and digests.

(c) The Attorney General shall distribute one set of reports and one set of digests thereof to the executive officers entitled to receive such reports who have not received them and to each United States attorney who has not received them. The Director of the Administrative Office of the United States Courts shall distribute one set of reports and one set of digests thereof to each judge of the United States and of the courts of the Territories and Possessions who has not received them and to each of the places where courts of appeals or district courts are held to which reports have not been distributed

Reports and digests printed prior to June 12, 1926, shall not be furnished to the Secretary of War for military headquarters.

The Public Printer or other printer designated by the Supreme

Court, upon request, shall furnish to the Attorney General or to the Director of the Administrative Office of the United States Courts, as the case may be, reports required to be distributed under this section.

§ 412. Supreme Court reports; cost and sale

The cost of furnishing reports of the decisions of the Supreme Court in bound volumes and pamphlets shall be charged to the proper appropriation for the Department of Justice or the Judiciary as the case may be. The Public Printer or other printer designated by the Supreme Court, shall print such additional bound and pamphlet copies of such reports as may be required for sale to the public. Such additional copies shall be sold by the Superintendent of Documents at cost, plus 10 per centum, without limit as to the use, number of copies to any one applicant, or resale at a reasonable profit.

§ 413. Reports, digests, and other publications; purchase and distribution

The Attorney General may procure and distribute a complete set of the Federal Reporter or other publication containing the decisions of the courts of appeals, former circuit courts, and district courts, digests and continuations thereof to the Department of Justice, the Solicitor General, the General Counsel for the Department of the Treasury, the Solicitor of the Department of the Interior, the Commissioner of Patents, and the Interstate Commerce Commission.

He may also procure and distribute three complete sets to the Secretary of the Senate for use of the Senate and to the Clerk of the House of Representatives for use of the House.

The Director of the Administrative Office of the United States Courts may procure and distribute a complete set of such publications to each judge of the United States and to the Court of Claims, Court of Customs and Patent Appeals, Customs Court, Tax Court, and each place where a court of appeals or district court is regularly held.

Whenever any such court, office, or officer has a partial set of any such reports or digests already purchased or owned by the United States, the Attorney General or the Director, as the case may be, shall distribute only sufficient volumes to make a complete set thereof.

Distribution under this section shall not be made to any place where court is held in a building not owned by the United States, unless the volumes are committed to the custody of a United States officer there.

§ 414. Transmittal of books to successors

All government publications and law books furnished to justices and judges of the United States and of the Territorial Courts, United States attorneys, clerks of courts, and other officers of the United States shall be transmitted to their successors in office. All permanent or bound books and publications furnished under this chapter except those books furnished to the Library of Congress for international exchange shall remain the property of the United States and shall be marked plainly, "The Property of the United States".

§ 415. Court of Claims decisions

At the end of every term of the Court of Claims the clerk thereof shall distribute one copy of each decision of such court to: (1) The heads of departments, (2) General Counsel for Treasury Department, (3) Comptroller General of the United States, (4) Commissioner of the General Land Office, (5) Commissioner of Indian Affairs, (6) Chiefs of bureaus, and (7) Officers charged with adjustment of claims against the United States.

CHAPTER 21—GENERAL PROVISIONS APPLICABLE TO COURTS AND JUDGES

Sec.

451. Definitions.
452. Courts always open; powers unrestricted by terms.
453. Oath of justices and judges.
454. Practice of law by justices and judges.
455. Interest of justice or judge.
456. Traveling expenses of justices and judges.
457. Records; obsolete papers.
458. Relative of justice or judge ineligible to appointment.
459. Administration of oaths and acknowledgments.
460. Application to Alaska, Canal Zone and Virgin Islands.

§ 451. Definitions

As used in this title:

"Court of the United States."

The term "court of the United States" includes the Supreme Court of the United States, courts of appeals, district courts constituted by chapter 5 of this title, including the district courts of the United States for the districts of Hawaii and Puerto Rico, the Court of Claims, the Court of Customs and Patent Appeals, the Customs Court and any court created by Act of Congress the judges of which are entitled to hold office during good behavior.

Ante, p. 872.

"District court"; "district court of the United States."

The terms "district court" and "district court of the United States" mean the courts constituted by chapter 5 of this title.

"Judge of the United States."

The term "judge of the United States" includes judges of the courts of appeals, district courts, Court of Claims, Court of Customs and Patent Appeals, Customs Court and any court created by Act of Congress, the judges of which are entitled to hold office during good behavior.

"Justice of the United States."

The term "justice of the United States" includes the Chief Justice of the United States and the associate justices of the Supreme Court.

"District"; "judicial district."

The term "district" and "judicial district" mean the districts enumerated in Chapter 5 of this title.

"Department."

The term "department" means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

"Agency."

The term "agency" includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense.

§ 452. Courts always open; powers unrestricted by terms

All courts of the United States shall be deemed always open for the purpose of filing proper papers, issuing and returning process, and making motions and orders.

The continued existence or expiration of a term of court in no way affects the power of the court to do any act or take any proceeding.

§ 453. Oaths of justices and judges

Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: "I, ———— ————, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ———— according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God."

§ 454. Practice of law by justices and judges

Any justice or judge appointed under the authority of the United States who engages in the practice of law is guilty of a high misdemeanor.

§ 455. Interest of justice or judge

Any justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest, has been of counsel, is or has been a material witness, or is so related to or connected with any party or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal, or other proceeding therein.

§ 456. Traveling expenses of justices and judges

Each justice or judge of the United States and each retired justice or judge recalled or designated and assigned to active duty, shall, upon his certificate, be paid by the Director of the Administrative Office of the United States Courts all necessary traveling expenses, and also his reasonable maintenance expenses actually incurred, not exceeding $10 per day, while attending court or transacting official business at a place other than his official station.

The official station of the Chief Justice of the United States, the justices of the Supreme Court and the judges of the Court of Claims, the Court of Customs and Patent Appeals, the United States Court of Appeals for the District of Columbia, and the United States District Court for the District of Columbia, shall be the District of Columbia.

The official station of the judges of the Customs Court shall be New York City.

The official station of each circuit and district judge, including each district judge in the Territories and Possessions, shall be that place nearest his residence at which a district court is regularly held.

Each circuit judge and each district judge whose official station is not fixed expressly herein shall upon his appointment and from time to time thereafter, as his residence may change, notify the Director of the Administrative Office of the United States Courts in writing of his residence and official station.

§ 457. Records; obsolete papers

The records of district courts and of courts of appeals shall be kept at one or more of the places where court is held. Such places shall be designated by the respective courts except when otherwise directed by the judicial council of the circuit.

Papers of any court established by Act of Congress which have become obsolete and are no longer necessary or useful, may be disposed of with the approval of the court concerned in the manner provided by sections 366–380 of Title 44 and in accordance with the rules of the Judicial Conference of the United States.

§ 458. Relative of justice or judge ineligible to appointment

No person shall be appointed to or employed in any office or duty in any court who is related by affinity or consanguinity within the degree of first cousin to any justice or judge of such court.

§ 459. Administration of oaths and acknowledgments

Each justice or judge of the United States may administer oaths and affirmations and take acknowledgments.

§ 460. Application to Alaska, Canal Zone and Virgin Islands

Sections 452–459 of this chapter shall also apply to the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands and the judges thereof.

PART II—UNITED STATES ATTORNEYS AND MARSHALS

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CHAPTER 31—UNITED STATES ATTORNEYS

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501. Appointment of United States attorneys.
502. Appointment of assistant United States attorneys.
503. Appointment of attorneys.
504. Tenure and oath of office; removal.
505. Residence.
506. Vacancies.
507. Duties; supervision by Attorney General.
508. Salaries.
509. Expenses.
510. Clerical assistants and messengers.

§ 501. Appointment of United States attorneys

The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as United States attorney for the district of Hawaii.

§ 502. Appointment of assistant United States attorneys

The Attorney General may appoint one or more assistant United States attorneys in any district when the public interest so requires.

§ 503. Appointment of attorneys

The Attorney General may appoint attorneys to assist United States attorneys when the public interest so requires.

§ 504. Tenure and oath of office; removal

(a) The United States attorney for each judicial district shall be appointed for a term of four years, except in the district of Hawaii, where the term shall be six years. Upon the expiration of his term a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

(b) Each United States attorney shall be subject to removal by the President. Each assistant United States attorney and each attorney appointed under section 503 of this title shall be subject to removal by the Attorney General. *Supra.*

(c) Each of such officials, before taking office, shall take an oath to execute faithfully his duties.

§ 505. Residence

Each United States attorney and assistant United States attorney must reside in the district for which he is appointed, except that such officers of the District of Columbia and the Southern District of New York may reside within twenty miles of the District.

The Attorney General may determine the official stations of United States attorneys and assistant United States attorneys within the districts for which they are appointed.

§ 506. Vacancies

The district court for a district in which the office of United States attorney is vacant, may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

§ 507. Duties; supervision by Attorney General

(a) It shall be the duty of each United States attorney, within his district, to:

(1) Prosecute for all offenses against the United States;

(2) Prosecute or defend, for the government, all civil actions, suits or proceedings in which the United States is concerned;

(3) Appear in behalf of the defendants in all civil actions, suits or proceedings pending in his district against collectors, or other officers of the revenue or customs for any act done by them or for the recovery of any money exacted by or paid to such officers, and by them paid into the Treasury;

(4) Institute and prosecute proceedings for the collection of fines, penalties and forfeitures incurred for violation of any revenue law unless satisfied upon investigation that justice does not require such proceedings;

(5) Make such reports as the Attorney General shall direct.

(b) The Attorney General shall have supervision over all litigation to which the United States or any agency thereof is a party and shall direct all United States attorneys, assistant United States attorneys, and attorneys appointed under section 503 of this title, in the discharge of their respective duties.

Ante, p. 909.

§ 508. Salaries

The Attorney General shall fix the salaries of United States attorneys, assistant United States attorneys, and attorneys appointed under section 503 of this title.

Ante, p. 909.

§ 509. Expenses

Necessary office expenses of United States attorneys shall be allowed when authorized by the Attorney General.

Necessary travel and subsistence expenses of United States attorneys, assistant United States attorneys, and attorneys appointed under section 503 of this title, while absent from their official stations on official business shall be allowed in accordance with regulations promulgated by the Attorney General.

§ 510. Clerical assistants and messengers

Clerical assistants and messengers for United States attorneys may be employed upon approval of and at salaries fixed by the Attorney General.

CHAPTER 33—UNITED STATES MARSHALS

Sec.
541. Appointment, residence and tenure of marshals.
542. Appointment and tenure of deputies and assistants.
543. Oath of office.
544. Bond.
545. Vacancies.
546. Death of marshal.
547. Powers and duties generally; supervision by Attorney General.
548. Administration of oaths.
549. Power as sheriff.
550. Disbursement of salaries and expenses.
551. Collection of fees; accounting.
552. Salaries of marshals, deputies and assistants.
553. Expenses of marshals.
554. Delivery of prisoners to successor.
555. Delivery of unserved process to successor.
556. Practice of law restricted.

§ 541. Appointment, residence and tenure of marshals

(a) The President shall appoint, by and with the advice and consent of the Senate, a United States marshal for each judicial district.

(b) The Attorney General shall designate places within the district for the official station and offices of each marshal. Each marshal shall reside within the district for which he was appointed except that the marshal for the District of Columbia and the Southern District of New York may reside within twenty miles thereof.

(c) Each marshal shall be appointed for a term of four years, except in the district of Hawaii where the term shall be six years. Upon the expiration of his term a marshal shall continue to perform the duties of his office until his successor is appointed and qualifies, unless sooner removed by the President.

U. S. marshal, Hawaii.

(d) Only citizens of the Territory of Hawaii who have resided therein at least three years next preceding shall be eligible for appointment as United States marshal for the district of Hawaii.

§ 542. Appointment and tenure of deputies and assistants

The Attorney General may authorize any United States marshal to appoint deputies and clerical assistants. Deputy marshals shall be subject to removal by the marshal pursuant to civil-service regulations.

§ 543. Oath of office

Each United States marshal and deputy marshal before assuming the duties of his office shall take the following oath or affirmation: "I, ——— ———, do solemnly swear (or affirm) that I will faithfully execute all lawful precepts directed to the ——— under the authority of the United States, make true returns, take only lawful fees, and in all things well and truly, and without malice or partiality, perform the duties of the office of ——— during my continuance in office. So help me God."

§ 544. Bond

(a) Each United States marshal, including any marshal appointed to serve during a vacancy, before entering on the duties of his office, shall give a bond in the sum of $20,000 for the faithful performance of duty by himself and his deputies during his continuance in office and by his deputies after his death until his successor is appointed and qualifies.

The bond shall be approved by a judge of the district court of the district for which such marshal is appointed, and filed and recorded in the office of the clerk.

(b) The Attorney General may require the United States marshal for the Southern District of New York to give bond in a sum not exceeding $75,000, and any other United States marshal to give bond in a sum not exceeding $40,000.

(c) Any person injured by a breach of a United States marshal's bond may sue thereon, in his own name, to recover his damages.

Such action shall be commenced within six years after the right accrues, but a person under legal disability may sue within three years after the removal of his disability.

After judgment the marshal's bond shall remain as security until the whole penalty has been recovered.

§ 545. Vacancies

The district court for a district in which the office of United States marshal is vacant may appoint a United States marshal to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

§ 546. Death of marshal

Upon the death of any United States marshal his deputy or deputies shall perform the duties of the deceased marshal in his name until his successor is appointed and qualifies.

The default or misfeasance of any deputy shall be a breach of the

deceased marshal's bond, and his executor or administrator shall have like remedies against such deputy for such default or misfeasance as the marshal would have had if he had continued in office.

§ 547. Powers and duties generally; supervision by Attorney General

(a) The United States marshal of each district shall be the marshal of the district court and of the court of appeals when sitting in his district, and of the Customs Court holding sessions in his district elsewhere than in the Southern and Eastern Districts of New York, and may, in the discretion of the respective courts, be required to attend any session of court.

(b) He shall execute all lawful writs, process and orders issued under authority of the United States, and command all necessary assistance to execute his duties.

(c) The Attorney General shall supervise and direct marshals in the performance of public duties and accounting for public moneys. Each marshal shall report his official proceedings, receipts and disbursements and the condition of his office as the Attorney General directs.

§ 548. Administration of oaths

Each United States marshal and his chief deputy may administer oaths to persons presenting claims and accounts for payment, but shall not receive a fee therefor.

§ 549. Power as sheriff

A United States marshal and his deputies, in executing the laws of the United States within a state, may exercise the same powers which a sheriff of such state may exercise in executing the laws thereof.

§ 550. Disbursement of salaries and expenses

(a) United States marshals, under regulations prescribed by the Attorney General, shall pay the salaries, office expenses and travel and subsistence allowances of United States attorneys, their assistants, clerks and messengers, and of the marshals, their deputies and clerical assistants.

(b) Under regulations prescribed by the Director of the Administrative Office of the United States Courts, the marshals shall pay the salaries, office expenses, and travel and subsistence allowances of circuit and district judges, judges of the Customs Court, clerks of court and their deputies, court reporters, and other personnel of courts within their districts.

(c) On all disbursements made by United States marshals for official salaries or expenses, the certificate of the payee shall be sufficient without verification on oath.

§ 551. Collection of fees; accounting

Each United States marshal shall collect, as far as possible, his lawful fees and account for the same as public moneys.

The marshal's accounts of fees and costs paid to any witness or juror upon certificate of attendance issued as provided by sections 1825 and 1871 of this title shall not be reexamined to charge him for an erroneous payment of such fees or costs.

Post, pp. 951, 953.

§ 552. Salaries of marshals, deputies and assistants

The Attorney General shall fix the salaries of United States marshals and their deputies and clerical assistants.

§ 553. Expenses of marshals

Under regulations promulgated by the Attorney General, each United States marshal shall be allowed:

(1) His actual and necessary office expenses;

(2) The necessary travel expense incurred in serving process and orders of court within his district;
(3) His expense of travel and subsistence and that of his deputies away from their respective official stations on official business;
(4) The expense of transporting prisoners, including the cost of necessary guards and the travel and subsistence expense of prisoners and guards;
(5) Other necessary expenditures in line of duty, approved by the Attorney General.

§ 554. Delivery of prisoners to successor

Each United States marshal shall deliver to his successor all prisoners in his custody.

§ 555. Delivery of unserved process to successor

All unserved process remaining in the hands of a United States marshal or his deputies shall be delivered to his successor. When a deputy marshal resigns or is removed he shall deliver to the marshal all process in his hands.

§ 556. Practice of law restricted

A United States marshal or deputy marshal shall not practice law in any court of the United States.

PART III—COURT OFFICERS AND EMPLOYEES

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CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS

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601. Creation; Director and Assistant Director.
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604. Duties of Director generally.
605. Budget estimates.
606. Duties of Assistant Director.
607. Practice of law prohibited.
608. Seal.
609. Courts, appointive power unaffected.
610. Courts defined.

§ 601. Creation; Director and Assistant Director

The Administrative Office of the United States Courts shall be maintained at the seat of government. It shall be supervised by a Director and an Assistant Director appointed and subject to removal by the Supreme Court.

§ 602. Employees

The Director, subject to the civil service laws, may appoint necessary employees of the Administrative Office.

§ 603. Salaries

The Director shall receive a salary of $10,000 a year. The Assistant Director shall receive a salary of $7,500 a year.

The Director shall fix the compensation of Administrative Office employees according to sections 661–673 and 674 of Title 5.

§ 604. Duties of Director generally

(a) The Director shall be the administrative officer of the courts, and under the supervision and direction of the Judicial Conference of the United States, shall:

(1) Supervise all administrative matters relating to the offices of clerks and other clerical and administrative personnel of the courts;

(2) Examine the state of the dockets of the courts; secure information as to the courts' need of assistance; prepare and transmit quarterly to the chief judges of the circuits, statistical data and reports as to the business of the courts;

(3) Submit to the annual meeting of the Judicial Conference of the United States, at least two weeks prior thereto, a report of the activities of the Administrative Office and the state of the business of the courts, together with the statistical data submitted to the chief judges of the circuits under paragraph (a) (2) of this section, and the Director's recommendations, which report, data and recommendations shall be public documents.

(4) Submit to Congress and the Attorney General copies of the report, data and recommendations required by paragraph (a) (3) of this section;

(5) Fix the compensation of clerks of court, deputies, librarians, criers, messengers, law clerks, secretaries, stenographers, clerical assistants, and other employees of the courts whose compensation is not otherwise fixed by law;

(6) Determine and pay necessary office expenses of courts, judges, and those court officials whose expenses are by law allowable, and the lawful fees of United States Commissioners;

(7) Regulate and pay necessary travel and subsistence expenses incurred by judges, court officers and employees, and officers and employees of the Administrative Office, while absent from their official stations on official business;

(8) Disburse, directly or through the several United States marshals, moneys appropriated for the maintenance and operation of the courts;

(9) Purchase, exchange, transfer, distribute, and assign the custody of law books, equipment and supplies needed for the maintenance and operation of the courts and the Administrative Office and the offices of United States Commissioners;

(10) Audit vouchers and accounts of the courts and their clerical and administrative personnel;

(11) Provide accommodations for the courts and their clerical and administrative personnel;

(12) Perform such other duties as may be assigned to him by the Supreme Court or the Judicial Conference of the United States.

Requests for data as to court dockets.

(b) The clerical and administrative personnel of the courts shall comply with all requests by the Director for information or statistical data as to the state of court dockets.

Inspection of dockets outside continental U. S.

(c) Inspection of court dockets outside the continental United States may be made through United States officials residing within the jurisdiction where the inspection is made.

§ 605. Budget estimates

The Director, under the supervision of the Judicial Conference of the United States, shall submit to the Bureau of the Budget annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the courts and the Administrative Office, and such supplemental and deficiency estimates as may be required from time to time for the same purposes, according to law.

Approval of estimates.

Such estimates shall be approved, before presentation to the Bureau of the Budget, by the Judicial Conference of the United States, except that estimates with respect to the Court of Customs and Patent Appeals, the Customs Court, and the Court of Claims shall be approved by such courts, respectively.

All such estimates shall be included in the budget without revision, but subject to the recommendations of the Bureau of the Budget, as provided by section 11 of Title 31 for the estimates of the Supreme Court.

§ 606. Duties of Assistant Director

The Assistant Director shall perform the duties assigned to him by the Director, and shall act as Director during the absence or incapacity of the Director or when the Director's office is vacant.

§ 607. Practice of law prohibited

An officer or employee of the Aministrative Office shall not engage directly or indirectly in the practice of law in any court of the United States.

§ 608. Seal

The Director shall use a seal approved by the Supreme Court. Judicial notice shall be taken of such seal.

§ 609. Courts' appointive power unaffected

The authority of the courts to appoint their own administrative or clerical personnel shall not be limited by any provisions of this chapter.

§ 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and district courts of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, the Court of Claims, the Court of Customs and Patent Appeals, and the Customs Court.

CHAPTER 43—UNITED STATES COMMISSIONERS

Sec.

631. Appointment and tenure.
632. Park commissioners; jurisdiction and powers; procedure.
633. Fees.
634. Salaries of park commissioners; disposition of fees.
635. Park commissioners; residence.
636. Accounts.
637. Oaths, acknowledgments, affidavits and depositions.
638. Seals.
639. Dockets and forms; United States Code.

§ 631. Appointment and tenure

(a) Each district court shall appoint United States commissioners in such number as it deems advisable.

One United States commissioner may be appointed for each of the following named national parks: Big Bend, Crater Lake, Glacier, Great Smoky Mountains, Hawaii, Isle Royale, Lassen, Mesa Verde, Mammoth Cave, Mount Rainier, Olympic, Rocky Mountain, Sequoia, Shenandoah, Yellowstone and Yosemite and may also be known as a

national park commissioner. If such park extends into two or more districts, the appointment shall be made by joint action of the district courts of such districts. The national park commissioner for the Sequoia National Park shall also be the national park commissioner for Kings Canyon National Park.

Record and notice of appointment.

Each appointment shall be entered of record in the district court, and notice of such appointment shall be given at once by the clerk of such court to the Director of the Administrative Office of the United States Courts.

(b) A person holding any civil or military office or employment under the United States or who is employed by any justice or judge of the United States, shall not at the same time hold the office of United States commissioner. This subsection shall not apply to a referee in bankruptcy nor shall it apply to a clerk or deputy clerk of a court of the United States whose appointment as commissioner is approved by the Director of the Administrative Office of the United States Courts.

(c) Each United States commissioner shall hold office for four years, unless sooner removed by the district court.

§ 632. Park commissioners; jurisdiction and powers; procedure

Each national park commissioner shall have all the jurisdiction and powers of a United States Commissioner and of a commissioner specially designated to try petty offenses within such national park pursuant to section 3401 of Title 18. He is also authorized to try and determine complaints in proceedings for penalties and forfeitures prescribed by law for violations of statutes or regulations respecting such park.

Ante, p. 830.

The practice and procedure for the trial of cases before national park commissioners and for taking and hearing of appeals to the district courts shall conform to rules promulgated by the Supreme Court pursuant to section 3402 of Title 18.

Ante, p. 831.

§ 633. Fees

(a) United States commissioners in each judicial district, except national park commissioners, shall receive the following fees only for all services rendered:

(1) For attending to any reference by order of court of a litigated matter in a civil case or in admiralty, $5 per day.

(2) For taking and certifying depositions, 10 cents for each folio and for each copy thereof furnished on request, 10 cents per folio.

(3) A fee graduated according to the aggregate number of cases in each quarterly accounting period, in the sum of $7 for each of the first 25 cases, $6 for each of the next 25 cases, $5 for each of the next 50 cases and $2 for each additional case, of the following kinds:—

Issuance of an attachment and subsequent hearings in internal revenue matters pursuant to section 3615 (e) of Title 26;

Settling or certifying the nonpayment of a seaman's wage pursuant to sections 603 and 604 of Title 46;

Preliminary proceedings to hold an accused person to answer in district court disposed of by discharge or binding over, for all services rendered after presentation of the accused.

Each accused person brought before the commissioner for holding to answer in district court shall be considered a case for the purpose of computation of fees.

(4) For each accused person presented before him for pur-

poses of bail only and not for holding to answer in district court, whether or not bail is taken or commitment ordered, $2.50.

(5) Upon the filing of a sworn, written complaint, for all services rendered prior to presentation of the accused before the commissioner, $2.50 for each person accused.

(6) For all services in connection with each formal, written application for a search warrant, whether granted or denied, $4.

(7) For each proceeding for the discharge of an indigent prisoner, $4.

(8) For each defendant tried or sentenced by him for a petty offense, in lieu of all other fees provided in this section, $10.

The additional compensation provided by section 934 of Title 5 shall apply to the fees prescribed herein.

(b) A United States commissioner shall not receive more than $7,500 for any one calendar year for his services, exclusive of additions under section 934 of Title 5.

§ 634. Salaries of Park Commissioners; disposition of fees

Each national park commissioner shall receive an annual salary to be fixed by the district court with the approval of the Judicial Conference of the United States, and shall account for all fees, fines, and costs collected by him as public moneys.

§ 635. Park commissioners; residence

Each national park commissioner shall reside within the exterior boundaries of the national park for which appointed or at some place reasonably adjacent thereto designated by the Secretary of the Interior with the approval of the court or courts by which he was appointed.

§ 636. Accounts

The accounts of each United States commissioner shall be rendered quarterly, in duplicate, under regulations prescribed by the Director of the Administrative Office of the United States Courts, and transmitted to the clerk of the United States district court for the district in which the commissioner resides. The clerk shall file the duplicate in his office and transmit the original to the Director. The court shall not be required to approve such accounts.

Fees of a commissioner, for which the United States is liable, shall be paid only upon rendition of accounts within one year after performance of services, and approval of such accounts by the Director. Such payment shall be subject to settlement in the General Accounting Office and any adjustments necessitated thereby.

§ 637. Oaths, acknowledgments, affidavits and depositions

United States commissioners may administer oaths and take bail, acknowledgments, affidavits and depositions.

§ 638. Seals

The Director of the Administrative Office of the United States Courts shall furnish each United States commissioner appointed after July 10, 1946, with an official impression seal in form prescribed by the Director. Each commissioner shall affix his seal to every jurat or certificate of his official acts without additional fee.

§ 639. Dockets and forms; United States Code

The Director of the Administrative Office of the United States Courts shall furnish to United States commissioners adequate docket books and forms prescribed by the Director. The Director shall also furnish each commissioner with a copy of the United States Code, upon approval of the chief judge of the district court of his district.

All property furnished to a commissioner shall remain the property of the United States and upon the termination of his term of office, shall be transmitted to his successor in office or otherwise disposed of as the Director orders.

CHAPTER 45—SUPREME COURT

Sec.
671. Clerk.
672. Marshal.
673. Reporter.
674. Librarian.
675. Law clerks and secretaries.
676. Printing and binding.

§ 671. Clerk

(a) The Supreme Court may appoint and fix the compensation of a clerk and one or more deputy clerks. The clerk shall be subject to removal by the Court. Deputy clerks shall be subject to removal by the clerk with the approval of the Court or the Chief Justice of the United States.

Bond.

(b) The clerk shall give bond to the United States in an amount fixed by the Court, and with sureties approved by the Court conditioned on the faithful and seasonable discharge of his duties. Such bond shall be filed in the Department of Justice. A renewed or augmented bond may be required at any time by the Court.

Assistants and messengers.

(c) The clerk may appoint and fix the compensation of necessary assistants and messengers with the approval of the Chief Justice of the United States. Compensation of the clerk, his deputies, assistants, and messengers, and the necessary expenses of his office shall be disbursed by the clerk from the fees collected by him, upon allowance and approval by the Chief Justice of the United States.

Payment of fees, etc., into Treasury.

(d) The clerk shall pay into the Treasury all fees, costs and other emoluments of his office over and above his lawful disbursements. He shall make annual returns thereof to the Court under regulations prescribed by it.

§ 672. Marshal

(a) The Supreme Court may appoint a marshal, who shall be subject to removal by the Court, and may fix his compensation.

(b) The marshal may, with the approval of the Chief Justice of the United States, appoint and fix the compensation of necessary assistants and other employees to attend the Court, and necessary custodial employees.

Duties of marshal.

(c) The marshal shall:

(1) Attend the Court at its sessions;

(2) Serve and execute all process and orders issued by the Court or a member thereof;

(3) Take charge of all property of the United States used by the Court or its members;

(4) Disburse funds appropriated for work upon the Supreme Court building and grounds under the jurisdiction of the Architect of the Capitol upon certified vouchers submitted by the Architect;

(5) Disburse funds appropriated for the purchase of books, pamphlets, periodicals and other publications, and for their repair, binding, and rebinding, upon vouchers certified by the librarian of the Court;

(6) Pay the salaries of the Chief Justice, associate justices and all officers and employees of the Court except the clerk, his deputies and employees, and disburse other funds appropriated for disbursement under the direction of the Chief Justice.

§ 673. Reporter

(a) The Supreme Court may appoint and fix the compensation of a reporter of its decisions who shall be subject to removal by the Court.

(b) The reporter may appoint and fix the compensation of necessary professional and clerical assistants and other employees, with the approval of the Court or the Chief Justice of the United States.

(c) The reporter shall, under the direction of the Court or the Chief Justice, prepare the decisions of the Court for publication in bound volumes and advance copies in pamphlet installments.

The reporter shall determine the quality and size of the paper, type, format, proofs and binding subject to the approval of the Court or the Chief Justice.

§ 674. Librarian

(a) The Supreme Court may appoint a librarian, whose salary it shall fix, and who shall be subject to removal by the Court.

(b) The librarian shall, with the approval of the Chief Justice, appoint necessary assistants and fix their compensation and make rules governing the use of the library.

(c) He shall select and acquire by purchase, gift, bequest, or exchange, such books, pamphlets, periodicals, microfilm and other processed copy as may be required by the Court for its official use and for the reasonable needs of its bar.

(d) The librarian shall certify to the marshal for payment vouchers covering expenditures for the purchase of such books and other material, and for binding, rebinding and repairing the same. He shall furnish bond in such amount as the Court shall prescribe.

§ 675. Law clerks and secretaries

The Chief Justice of the United States, and the associate justices of the Supreme Court may appoint law clerks and secretaries whose salaries shall be fixed by the Court.

§ 676. Printing and binding

(a) The printing and binding for the Supreme Court, including the printing and binding of individual copies, advance pamphlet installments, and bound volumes, of its decisions, whether requisitioned or ordered by the Court or any of its officers or by any other office or agency, and whether paid for by, or charged to the appropriation for, the Court or any other office or agency, shall be done by the printer or printers the Court or the Chief Justice of the United States may select, unless it shall otherwise order.

(b) Whenever advance pamphlet installments and bound volumes of the Court's decisions are printed by a private printer, an adequate number of copies for distribution in accordance with the requirements of section 411 and for sale to the public shall be provided and made available for these purposes in such manner and at such prices as may be determined from time to time by the Supreme Court or the Chief Justice of the United States, in lieu of compliance by the Public Printer and the Superintendent of Documents with the requirements of sections 411 and 412 with respect to such copies. Pending distribution or sale, such copies shall be the property of the United States and shall be held in the custody of the marshal or such other person, organization, or agency, as the Supreme Court or the Chief Justice of the United States may designate.

Ante, p. 904.

Ante, pp. 904, 906.

CHAPTER 47—COURTS OF APPEALS

Sec.

711. Clerks and employees.
712. Law clerks and secretaries.
713. Criers, bailiffs and messengers.

§ 711. Clerks and employees

(a) Each court of appeals may appoint a clerk who shall be subject to removal by the court.

(b) The clerk, with the approval of the court, may appoint necessary deputies, clerical assistants and employees in such number as may be approved by the Director of the Administrative Office of the United States Courts. Such deputies, clerical assistants and employees shall be subject to removal by the clerk with the approval of the court.

(c) The clerk shall pay into the Treasury all fees, costs and other moneys collected by him and make returns thereof to the Director of the Administrative Office of the United States Courts under regulations prescribed by him.

§ 712. Law clerks and secretaries

Circuit judges may appoint necessary law clerks and secretaries.

§ 713. Criers, bailiffs and messengers

Librarian and library assistants.

(a) Each court of appeals may appoint a librarian and necessary library assistants who shall be subject to removal by the court.

Crier and messengers.

(a) Each court of appeals, except the Court of Appeals for the District of Columbia, may appoint a crier and such messengers as may be necessary, all of whom shall be subject to removal by the court. The crier shall also perform the duties of bailiff and messenger.

Marshal and messengers.

(b) The Court of Appeals for the District of Columbia may appoint a marshal, who shall attend the court at its sessions, be custodian of its courthouse, have supervision over its custodial employees, take charge of all property of the United States used by the court or its employees, and perform such other duties as the court directs. Such court may also appoint necessary messengers. The marshal and messengers shall be subject to removal by the court.

Bailiffs.

(c) The United States marshal of the district in which a court of appeals is sitting or in which a circuit judge is present in chambers, may, with the approval of the court or judge, employ necessary bailiffs. Such bailiffs shall attend the court, preserve order, and perform such other necessary duties as the court, judge or marshal may direct. They shall receive the same compensation as bailiffs employed for the district courts.

CHAPTER 49—DISTRICT COURTS

Sec.

751. Clerks.
752. Law clerks and secretaries.
753. Reporters.
754. Receivers of property in different districts.
755. Criers and bailiffs.
756. Power to appoint.

§ 751. Clerks

(a) Each district court may appoint a clerk who shall be subject to removal by the court.

Deputies, clerical assistants, and employees.

(b) The clerk may appoint, with the approval of the court, necessary deputies, clerical assistants and employees in such number as may be approved by the Director of the Administrative Office of the United States Courts. Such deputies, clerical assistants and employees shall be subject to removal by the clerk with the approval of the court.

Residence of clerk.

(c) The clerk of each district court shall reside in the district for which he is appointed, except that the clerk of the district court for the District of Columbia and the Southern District of New York may reside within twenty miles thereof. The district court may designate places within the district for the offices of the clerk and his deputies, and their official stations.

(d) A clerk of a district court or his deputy or assistant shall not receive any compensation or emoluments through any office or position to which he is appointed by the court, other than that received as such clerk, deputy or assistant, whether from the United States or from private litigants.

This subsection shall not apply to clerks or deputy clerks appointed as United States commissioners pursuant to section 631 of this title. *Ante*, p. 915.

(e) The clerk of each district court shall pay into the Treasury all fees, costs and other moneys collected by him, except naturalization fees listed in section 742 of Title 8 and uncollected fees not required by Act of Congress to be prepaid. 8 U. S. C., Supp. I, § 742.

He shall make returns thereof to the Director of the Administrative Office of the United States Courts under regulations prescribed by him.

§ 752. Law clerks and secretaries

Each district judge may appoint a secretary and upon certification of necessity by the chief judge of his circuit, a law clerk. The chief judge of a district court having five or more district judges may also appoint an assistant secretary.

§ 753. Reporters

(a) Each district court of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands shall appoint one or more court reporters.

The number of reporters shall be determined by the Judicial Conference of the United States.

The qualifications of such reporters shall be determined by standards formulated by the Judicial Conference. Each reporter shall take an oath faithfully to perform the duties of his office.

Each such court, with the approval of the Director of the Administrative Office of the United States Courts, may appoint additional reporters for temporary service not exceeding three months, when there is more reporting work in the district than can be performed promptly by the authorized number of reporters and the urgency is so great as to render it impracticable to obtain the approval of the Judicial Conference.

If any such court and the Judicial Conference are of the opinion that it is in the public interest that the duties of reporter should be combined with those of any other employee of the court, the Judicial Conference may authorize such a combination and fix the salary for the performance of the duties combined.

Duties of reporters.

(b) One of the reporters appointed for each such court shall attend at each session of the court and at every other proceeding designated by rule or order of court or by one of the judges, and shall record verbatim by shorthand or by mechanical means: (1) all proceedings in criminal cases had in open court; (2) all proceedings in other cases had in open court unless the parties with the approval of the judge shall specifically agree to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule or order of court or as may be requested by any party to the proceeding.

Preservation of original notes or records.

The reporter shall attach his official certificate to the original shorthand notes or other original records so taken and promptly file them with the clerk who shall preserve them in the public records of the court for not less than ten years.

Transcription of original records.

Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter shall promptly transcribe the original records of the requested parts of the proceedings and attach to the transcript

his official certificate, and deliver the same to the party or judge making the request. He shall also transcribe and certify all pleas and proceedings in connection with the imposition of sentence in criminal cases and such other parts of the record of proceedings as may be required by rule or order of court.

The reporter shall promptly deliver to the clerk for the records of the court a certified copy of any transcript so made.

The transcript in any case certified by the reporter shall be deemed prima facie a correct statement of the testimony taken and proceedings had. No transcripts of the proceedings of the court shall be considered as official except those made from the records taken by the reporter.

Availability for inspection.

The original notes or other original records and the copy of the transcript in the office of the clerk shall be open during office hours to inspection by any person without charge.

Supervision.

(c) The reporters shall be subject to the supervision of the appointing court and the Judicial Conference in the performance of their duties, including dealings with parties requesting transcripts.

Records and reports.

(d) The Judicial Conference shall prescribe records which shall be maintained and reports which shall be filed by the reporters. Such records shall be inspected and audited in the same manner as the records and accounts of clerks of the district courts, and may include records showing:

(1) the quantity of transcripts prepared;
(2) the fees charged and the fees collected for transcripts;
(3) any expenses incurred by the reporters in connection with transcripts;
(4) the amount of time the reporters are in attendance upon the courts for the purpose of recording proceedings; and
(5) such other information as the Judicial Conference may require.

Salary.

(e) Each reporter shall receive an annual salary to be fixed from time to time by the Judicial Conference of the United States at not less than $3,000 nor more than $6,000 per annum. All supplies shall be furnished by the reporter at his own expense.

Fees.

(f) Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference. He shall not charge a fee for any copy of a transcript delivered to the clerk for the records of court. Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose. Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous but presents a substantial question. The reporter may require any party requesting a transcript to prepay the estimated fee in advance except as to transcripts that are to be paid for by the United States.

§ 754. Receivers of property in different districts

A receiver appointed in any civil action or proceeding involving property, real, personal or mixed, situated in different districts shall, upon giving bond as required by the court, be vested with complete jurisdiction and control of all such property with the right to take possession thereof.

He shall have capacity to sue in any district without ancillary appointment, and may be sued with respect thereto as provided in section 959 of this title.

Post, p. 926.

Such receiver shall, within ten days after the entry of his order of appointment, file copies of the complaint and such order of appointment in the district court for each district in which property is located. The failure to file such copies in any district shall divest the receiver of jurisdiction and control over all such property in that district.

§ 755. Criers and bailiffs

Each district judge may appoint a crier for the court in which he presides who shall perform also the duties of bailiff and messenger.

Each United States marshal may employ, with the approval of the judge, not exceeding four bailiffs as the district judge may determine, to attend the court, maintain order, wait upon the grand and petit juries, and perform such other necessary duties as the judge or marshal may direct.

Each bailiff shall be allowed for his services $6 a day to be paid only for actual attendance on days when the court is in session or the judge or jury is present.

If the position of crier or bailiff is to be filled by the appointment of a person who has not previously served as either crier or bailiff, preference in the appointment shall be given to a person who has served in the military or naval forces of the United States in time of war and who has been honorably discharged therefrom, if in the opinion of the appointing officer such person is as well qualified as any other available person to perform to the satisfaction of the appointing officer all the duties of the position.

§ 756. Power to appoint

Whenever a majority of the district judges of any district court cannot agree upon the appointment of any officer of such court, the chief judge shall make such appointment.

CHAPTER 51—COURT OF CLAIMS

Sec.

791. Clerk.
792. Commissioners.
793. Reporter-commissioners; stenographers.
794. Stenographers and clerical employees.
795. Bailiff and messenger.

§ 791. Clerk

(a) The Court of Claims may appoint a clerk and an assistant clerk, each of whom shall be subject to removal by the court. The court shall report any such removal and the cause thereof to Congress as soon as possible.

(b) The clerk shall pay into the Treasury all fees, costs and other moneys collected by him. He shall make returns thereof to the Director of the Administrative Office of the United States Courts under regulations prescribed by him.

Transmission of annual statement to Congress.

(c) On the first day of every regular session of Congress, the clerk shall transmit to Congress a full and complete statement of all the judgments rendered by the court during the previous year, showing the dates and amounts thereof and the parties in whose favor they were rendered, together with a brief synopsis of the nature of the claims upon which they were rendered, and a statement of the costs taxed in each case.

§ 792. Commissioners

(a) The Court of Claims may appoint seven commissioners who shall be subject to removal by the court.

(b) Each commissioner shall receive a salary of $7,500 a year, and all necessary traveling expenses, and also his reasonable maintenance expenses actually incurred, not exceeding $7 per day, while taking

testimony or transacting other official business at a place other than Washington.

(c) Commissioners shall, in accordance with the rules and orders of the court, fix times for hearings, administer oaths, examine witnesses, receive evidence and report findings of fact and recommendations for conclusions of law in cases assigned to them.

Each commissioner shall devote all of his time to the duties of his office.

§ 793. Reporter-commissioners; stenographers

The Court of Claims may issue commissions and appoint reporter-commissioners to take testimony to be used in the investigation of claims before it.

When testimony is taken for the plaintiff he shall pay the fees of the reporter-commissioner before whom it was taken, and the cost of the commission and notice. When it is taken at the instance of the United States such fees shall be paid out of the contingent fund provided for the court or from other appropriation made by Congress for that purpose.

Reporter-commissioners of the Court of Claims who are not stenographers may employ necessary stenographers to take down and write out testimony of witnesses.

§ 794. Stenographers and clerical employees

The Court of Claims shall appoint stenographers and other clerical employees in such numbers as may be necessary each of whom shall be subject to removal by the court.

§ 795. Bailiff and messenger

The Court of Claims may appoint a bailiff and a messenger who shall be subject to removal by the court.

The bailiff shall attend the court, preserve order, and perform such other necessary duties as the court directs.

CHAPTER 53—COURT OF CUSTOMS AND PATENT APPEALS

Sec.

831. Clerk and employees.
832. Marshal.
833. Reporter.
834. Bailiffs and messengers.

§ 831. Clerk and employees

The Court of Customs and Patent Appeals may appoint a clerk and such assistant clerks, stenographic law clerks, clerical assistants and other employees as may be necessary, all of whom shall be subject to removal by the court.

The clerk shall pay into the Treasury all fees, costs and other moneys collected by him. He shall maintain an office at the seat of government.

§ 832. Marshal

The Court of Customs and Patent Appeals may appoint a marshal who shall serve within the District of Columbia and shall be subject to removal by the court.

He shall attend the court at its sessions, and shall serve and execute all process and orders issuing from it. He shall purchase books and supplies, supervise the library and perform such other duties as the court may direct. Under regulations prescribed by the Director of the Administration Office of the United States Courts, he shall pay the salaries of judges, officers, and employees of the court and disburse funds appropriated for the expenses of the court.

United States marshals for other districts where sessions of the court are held shall serve as marshals of the court.

§ 833. Reporter

(a) The Court of Customs and Patent Appeals may appoint a reporter who shall be subject to removal by the court.

(b) The reporter shall prepare and transmit:

(1) To the Secretary of the Treasury, weekly, for publication, copies of all opinions relating to customs rendered by the court;

(2) To the Commissioner of Patents, weekly, for publication, copies of all opinions relating to patent and trade-mark appeals rendered by the court.

(c) The reporter also shall compile and publish, at least once a year, in such manner as the court directs, all opinions rendered by the court during the year, together with necessary digests and indexes as the court directs.

§ 834. Bailiffs and messengers

The Court of Customs and Patent Appeals may appoint necessary bailiffs and messengers who shall be subject to removal by the court.

Each bailiff shall attend the court, preserve order, and perform such other necessary duties as the court directs.

CHAPTER 55—CUSTOMS COURT

Sec.
871. Clerk, deputies, assistants and other employees.
872. Marshal.

§ 871. Clerk, deputies, assistants and other employees

The chief judge of the Customs Court in accordance with the civil service laws may appoint a clerk, deputies, assistants and such other employees as may be necessary for the effective dispatch of the business of the court.

§ 872. Marshal; appointment and tenure

The chief judge of the Customs Court in accordance with the civil service laws may appoint a marshal, deputies and assistants.

The marshal and his deputies and assistants shall attend court at its sessions, serve and execute all process and orders issued by it and exercise the powers and perform the duties concerning all matters within such court's jurisdiction assigned to them by the court.

CHAPTER 57—GENERAL PROVISIONS APPLICABLE TO COURT OFFICERS AND EMPLOYEES

Sec.
951. Oath of office of clerks and deputies.
952. Bonds of clerks and deputies.
953. Administration of oaths and acknowledgments.
954. Death of clerk; duties of and remedies against deputies.
955. Practice of law by clerks restricted.
956. Powers and duties of clerks and deputies.
957. Clerks ineligible for certain offices.
958. Persons ineligible as receivers.
959. Trustees and receivers suable; management; State laws.
960. Tax liability.
961. Office expenses of clerks.
962. Traveling expenses.
963. Courts defined.

§ 951. Oath of office of clerks and deputies

Each clerk of court and his deputies shall take the following oath or affirmation before entering upon their duties: "I, ———— ————, having been appointed ————, do solemnly swear (or affirm) that I will truly and faithfully enter and record all orders, decrees,

judgments and proceedings of such court, and will faithfully and impartially discharge all other duties of my office according to the best of my abilities and understanding. So help me God."

§ 952. Bonds of clerks and deputies

(a) The clerks of all courts other than the Supreme Court shall each give bond to the United States in an amount fixed by the Director of the Administrative Office of the United States Courts, and with sureties approved by the court appointing him, conditioned on the faithful and seasonable discharge of the duties of his office. Such bond shall be filed in the Administrative Office.

(b) A renewed or augmented bond may be required at any time by the Director.

(c) A copy of each bond so furnished shall be kept on file in the office of the clerk furnishing it.

(d) In like manner and with like effect, such courts may require deputy clerks and assistants to give bond to the United States for the faithful and seasonable discharge of their duties, without affecting the liability of the clerk for the acts of his deputies or assistants.

§ 953. Administration of oaths and acknowledgments

Each clerk of court and his deputies may administer oaths and affirmations and take acknowledgments.

§ 954. Death of clerk; duties of and remedies against deputies

Upon the death of any clerk of court, his deputy or deputies shall execute the duties of the deceased clerk in his name until his successor is appointed and qualifies.

The default or misfeasance of any deputy shall be a breach of the deceased clerk's bond and his executor or administrator shall have like remedies against such deputy for such default or misfeasance as the clerk would have had if the clerk had continued in office.

The compensation of a deceased clerk of the Supreme Court may be paid to his personal representatives until his successor is appointed and qualifies.

§ 955. Practice of law restricted

The clerk of each court and his deputies and assistants shall not practice law in any court of the United States.

§ 956. Powers and duties of clerks and deputies

The clerk of each court and his deputies and assistants shall exercise the powers and perform the duties assigned to them by the court.

§ 957. Clerks ineligible for certain offices

(a) A clerk of a district court or any of his deputies shall not be appointed a commissioner, master, referee or receiver in any case, unless there are special reasons requiring such appointment which are recited in the order of appointment.

(b) The clerk or assistant clerks of the Court of Customs and Patent Appeals shall not be appointed a commissioner, master or referee in any case.

§ 958. Persons ineligible as receivers

A person holding any civil or military office or employment under the United States or employed by any justice or judge of the United States shall not at the same time be appointed a receiver in any case in any court of the United States.

§ 959. Trustees and receivers suable; management; State laws

(a) Trustees, receivers or managers of any property, including debtors in possession, may be sued, without leave of the court appointing them, with respect to any of their acts or transactions in carrying

on business connected with such property. Such actions shall be subject to the general equity power of such court so far as the same may be necessary to the ends of justice, but this shall not deprive a litigant of his right to trial by jury.

(b) A trustee, receiver or manager appointed in any cause pending in any court of the United States, including a debtor in possession, shall manage and operate the property in his possession as such trustee, receiver or manager according to the requirements of the valid laws of the State in which such property is situated, in the same manner that the owner or possessor thereof would be bound to do if in possession thereof.

§ 960. Tax liability

Any officers and agents conducting any business under authority of a United States court shall be subject to all Federal, State and local taxes applicable to such business to the same extent as if it were conducted by an individual or corporation.

§ 961. Office expenses of clerks

Each clerk of court shall be allowed his necessary office expenses when authorized by the Director of the Administrative Office of the United States Courts.

§ 962. Traveling expenses

Officers and employees of the courts of the United States and of the Administrative Office of the United States Courts necessarily absent from their official stations on official business shall be allowed travel and subsistence expenses pursuant to regulations promulgated by the Director of the Administrative Office of the United States Courts.

§ 963. Courts defined

As used in this chapter, unless the context indicates otherwise, the words "court" and "courts" include the Supreme Court of the United States and the courts enumerated in section 610 of this title. *Ante*, p. 915.

PART IV—JURISDICTION AND VENUE

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CHAPTER 81—SUPREME COURT

Sec.
1251. Original jurisdiction.
1252. Direct appeals from decisions invalidating Acts of Congress.
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1254. Courts of appeals; certiorari; appeal; certified questions.
1255. Court of Claims; certiorari; certified questions.
1256. Court of Customs and Patent Appeals; certiorari.
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§ 1251. Original jurisdiction

(a) The Supreme Court shall have original and exclusive jurisdiction of:

(1) All controversies between two or more States;

(2) All actions or proceedings against ambassadors or other public ministers of foreign states or their domestics or domestic servants, not inconsistent with the law of nations.

(b) The Supreme Court shall have original but not exclusive jurisdiction of:

(1) All actions or proceedings brought by ambassadors or other public ministers of foreign states or to which consuls or vice consuls of foreign states are parties;

(2) All controversies between the United States and a State;

(3) All actions or proceedings by a State against the citizens of another State or against aliens.

§ 1252. Direct appeals from decisions invalidating Acts of Congress

Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands and any court of record of Alaska, Hawaii and Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

A party who has received notice of appeal under this section shall take any subsequent appeal or cross appeal to the Supreme Court. All appeals or cross appeals taken to other courts prior to such notice shall be treated as taken directly to the Supreme Court.

§ 1253. Direct appeals from decisions of three-judge courts

Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.

§ 1254. Courts of appeals; certiorari; appeal; certified questions

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree;

(2) By appeal by a party relying on a State statute held by a court of appeals to be invalid as repugnant to the Constitution, treaties or laws of the United States, but such appeal shall preclude review by writ of certiorari at the instance of such appellant, and the review on appeal shall be restricted to the Federal questions presented;

(3) By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding instructions or require the entire record to be sent up for decision of the entire matter in controversy.

§ 1255. Court of Claims; certiorari; certified questions

Cases in the Court of Claims may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted on petition of the United States or the claimant;

(2) By certification of any question of law by the Court of Claims in any case as to which instructions are desired, and upon such certification the Supreme Court may give binding instructions on such question.

§ 1256. Court of Customs and Patent Appeals; certiorari

Cases in the Court of Customs and Patent Appeals may be reviewed by the Supreme Court by writ of certiorari.

§ 1257. State courts; appeal; certiorari

Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court as follows:

(1) By appeal, where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

(2) By appeal, where is drawn in question the validity of a statute of any state on the ground of its being repugnant to the Constitution, treaties or laws of the United States, and the decision is in favor of its validity.

(3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a State statute is drawn in question on the ground of its being repugnant to the Constitution, treaties or laws of the United States, or where any title, right, privilege or immunity is specially set up or claimed under the Constitution, treaties or statutes of, or commission held or authority exercised under, the United States.

CHAPTER 83—COURTS OF APPEALS

Sec.

1291. Final decisions of district courts.
1292. Interlocutory decisions.
1293. Final decisions of Puerto Rico and Hawaii Supreme Courts.
1294. Circuits in which decisions reviewable.

§ 1291. Final decisions of district courts

The courts of appeals shall have jurisdiction of appeals from all final decisions of the district courts of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands, except where a direct review may be had in the Supreme Court.

§ 1292. Interlocutory decisions

The courts of appeals shall have jurisdiction of appeals from:

(1) Interlocutory orders of the district courts of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands, or of the judges thereof, granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions, except where a direct review may be had in the Supreme Court;

(2) Interlocutory orders appointing receivers, or refusing orders to wind up receiverships or to take steps to accomplish the purposes thereof, such as directing sales or other disposals of property;

(3) Interlocutory decrees of such district courts or the judges thereof determining the rights and liabilities of the parties to admiralty cases in which appeals from final decrees are allowed;

(4) Judgments in civil actions for patent infringement which are final except for accounting.

§ 1293. Final decisions of Puerto Rico and Hawaii Supreme Courts

The courts of appeals for the First and Ninth Circuits shall have jurisdiction of appeals from all final decisions of the supreme courts of Puerto Rico and Hawaii, respectively in all cases involving the Constitution, laws or treaties of the United States or any authority exercised thereunder, in all habeas corpus proceedings, and in all other civil cases where the value in controversy exceeds $5,000, exclusive of interest and costs.

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§ 1294. Circuits in which decisions reviewable

Appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows:

(1) From a district court of the United States to the court of appeals for the circuit embracing the district;

(2) From the District Court for the Territory of Alaska or any division thereof, to the Court of Appeals for the Ninth Circuit;

(3) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Circuit;

(4) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

(5) From the Supreme Court of Hawaii, to the Court of Appeals for the Ninth Circuit;

(6) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit.

CHAPTER 85—DISTRICT COURTS; JURISDICTION

Sec.

1331. Federal question; amount in controversy.
1332. Diversity of citizenship; amount in controversy.
1333. Admiralty, maritime and prize cases.
1334. Bankruptcy matters and proceedings.
1335. Interpleader.
1336. Interstate Commerce Commission's orders.
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1340. Internal revenue; customs duties.
1341. Taxes by States.
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1344. Election disputes.
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1347. Partition action where United States is joint tenant.
1348. Banking association as party.
1349. Corporation organized under federal law as party.
1350. Alien's action for tort.
1351. Consuls and vice consuls as defendants.
1352. Bonds executed under federal law.
1353. Indian allotments.
1354. Land grants from different states.
1355. Fine, penalty or forfeiture.
1356. Seizures not within admiralty and maritime jurisdiction.
1357. Injuries under Federal laws.
1358. Eminent domain.
1359. Parties collusively joined or made.

§ 1331. Federal question; amount in controversy

The district courts shall have original jurisdiction of all civil actions wherein the matter in controversy exceeds the sum or value of $3,000, exclusive of interest and costs, and arises under the Constitution, laws or treaties of the United States.

§ 1332. Diversity of citizenship; amount in controversy

(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of $3,000 exclusive of interest and costs, and is between:

(1) Citizens of different States;

(2) Citizens of a State, and foreign states or citizens or subjects thereof;

(3) Citizens of different States and in which foreign states or citizens or subjects thereof are additional parties.

"States." (b) The word "States", as used in this section, includes the Territories and the District of Columbia.

§ 1333. Admiralty, maritime and prize cases

The district courts shall have original jurisdiction, exclusive of the courts of the States, of:

(1) Any civil case of admiralty or maritime jurisdiction, saving to the libellant or petitioner in every case any other remedy to which he is otherwise entitled.

(2) Any prize brought into the United States and all proceedings for the condemnation of property taken as prize.

§ 1334. Bankruptcy matters and proceedings

The district courts shall have original jurisdiction, exclusive of the courts of the States, of all matters and proceedings in bankruptcy.

§ 1335. Interpleader

(a) The district courts shall have original jurisdiction of any civil action of interpleader or in the nature of interpleader filed by any person, firm, or corporation, association, or society having in his or its custody or possession money or property of the value of $500 or more, or having issued a note, bond, certificate, policy of insurance, or other instrument of value or amount of $500 or more, or providing for the delivery or payment or the loan of money or property of such amount or value, or being under any obligation written or unwritten to the amount of $500 or more, if

(1) Two or more adverse claimants, of diverse citizenship as defined in section 1332 of this title, are claiming or may claim to be entitled to such money or property, or to any one or more of the benefits arising by virtue of any note, bond, certificate, policy or other instrument, or arising by virtue of any such obligation; and if (2) the plaintiff has deposited such money or property or has paid the amount of or the loan or other value of such instrument or the amount due under such obligation into the registry of the court, there to abide the judgment of the court, or has given bond payable to the clerk of the court in such amount and with such surety as the court or judge may deem proper, conditioned upon the compliance by the plaintiff with the future order or judgment of the court with respect to the subject matter of the controversy. *Ante*, p. 930.

(b) Such an action may be entertained although the titles or claims of the conflicting claimants do not have a common origin, or are not identical, but are adverse to and independent of one another.

§ 1336. Interstate Commerce Commission's orders

Except as otherwise provided by Act of Congress, the district courts shall have jurisdiction of any civil action to enforce, enjoin, set aside, annul or suspend, in whole or in part, any order of the Interstate Commerce Commission.

§ 1337. Commerce and anti-trust regulations

The district courts shall have original jurisdiction of any civil action or proceeding arising under any Act of Congress regulating commerce or protecting trade and commerce against restraints and monopolies.

§ 1338. Patents, copyrights, trade-marks, and unfair competition

(a) The district courts shall have original jurisdiction of any civil action arising under any Act of Congress relating to patents, copyrights and trade-marks. Such jurisdiction shall be exclusive of the courts of the states in patent and copyright cases.

(b) The district courts shall have original jurisdiction of any civil action asserting a claim of unfair competition when joined with a substantial and related claim under the copyright, patent or trade-mark laws.

§ 1339. Postal matters

The district courts shall have original jurisdiction of any civil action arising under any Act of Congress relating to the postal service.

§ 1340. Internal revenue; customs duties

The district courts shall have original jurisdiction of any civil action arising under any Act of Congress providing for internal revenue, or revenue from imports or tonnage except matters within the jurisdiction of the Customs Court.

§ 1341. Taxes by States

The district courts shall not enjoin, suspend or restrain the assessment, levy or collection of any tax under State law where a plain, speedy and efficient remedy may be had in the courts of such State.

§ 1342. Rate orders of State agencies

The district courts shall not enjoin, suspend or restrain the operation of, or compliance with, any order affecting rates chargeable by a public utility and made by a State administrative agency or a rate-making body of a State political subdivision, where:

(1) Jurisdiction is based solely on diversity of citizenship or repugnance of the order to the Federal Constitution; and,

(2) The order does not interfere with interstate commerce; and,

(3) The order has been made after reasonable notice and hearing; and,

(4) A plain, speedy and efficient remedy may be had in the courts of such State.

§ 1343. Civil rights

The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 47 of Title 8;

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 47 of Title 8 which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States.

§ 1344. Election disputes

The district courts shall have original jurisdiction of any civil action to recover possession of any office, except that of elector of President or Vice President, United States Senator, Representative in or delegate to Congress, or member of a state legislature, authorized by law to be commenced, wherein it appears that the sole question touching the title to office arises out of denial of the right to vote, to any citizen offering to vote, on account of race, color or previous condition of servitude.

The jurisdiction under this section shall extend only so far as to determine the rights of the parties to office by reason of the denial of the right, guaranteed by the Constitution of the United States and secured by any law, to enforce the right of citizens of the United States to vote in all the States.

§ 1345. United States as plaintiff

Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress.

§ 1346. United States as defendant

(a) The district courts shall have original jurisdiction, concurrent with the Court of Claims, of:

(1) Any civil action against the United States for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal-revenue laws; even if the claim exceeds $10,000 if the collector of internal revenue by whom such tax, penalty or sum was collected is dead or is not in office as collector of internal revenue when such action is commenced;

(2) Any other civil action or claim against the United States, not exceeding $10,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

(b) Subject to the provisions of chapter 173 of this title, the district courts, together with the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

Set-offs, counterclaims, etc.

(c) The jurisdiction conferred by this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

(d) The district courts shall not have jurisdiction under this section of:

(1) Any civil action or claim for a pension;

(2) Any civil action to recover fees, salary, or compensation for official services of officers of the United States.

§ 1347. Partition action where United States is joint tenant

The district courts shall have original jurisdiction of any civil action commenced by any tenant in common or joint tenant for the partition of lands where the United States is one of the tenants in common or joint tenants.

§ 1348. Banking association as party

The district courts shall have original jurisdiction of any civil action commenced by the United States, or by direction of any officer thereof, against any national banking association, any civil action to wind up the affairs of any such association, and any action by a banking association established in the district for which the court is held, under chapter 2 of Title 12, to enjoin the Comptroller of the Currency, or any receiver acting under his direction, as provided by such chapter.

12 U. S. C., Supp. I, ch. 2.

All national banking associations shall, for the purposes of all other actions by or against them, be deemed citizens of the States in which they are respectively located.

§ 1349. Corporation organized under federal law as party

The district courts shall not have jurisdiction of any civil action by or against any corporation upon the ground that it was incorporated by or under an Act of Congress, unless the United States is the owner of more than one-half of its capital stock.

§ 1350. Alien's action for tort

The district courts shall have original jurisdiction of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States.

§ 1351. Consuls and vice consuls as defendants

The district courts shall have original jurisdiction, exclusive of the courts of the States, of any civil action against consuls or vice consuls of foreign states.

§ 1352. Bonds executed under federal law

The district courts shall have original jurisdiction, concurrent with State courts, of any action on a bond executed under any law of the United States.

§ 1353. Indian allotments

The district courts shall have original jurisdiction of any civil action involving the right of any person, in whole or in part of Indian blood or descent, to any allotment of land under any Act of Congress or treaty.

The judgment in favor of any claimant to an allotment of land shall have the same effect, when properly certified to the Secretary of the Interior, as if such allotment had been allowed and approved by him; but this provision shall not apply to any lands held on or before December 21, 1911, by either of the Five Civilized Tribes, the Osage Nation of Indians, nor to any of the lands within the Quapaw Indian Agency.

§ 1354. Land grants from different states

The district courts shall have original jurisdiction of actions between citizens of the same state claiming lands under grants from different states.

§ 1355. Fine, penalty or forfeiture

The district courts shall have original jurisdiction, exclusive of the courts of the States, of any action or proceeding for the recovery or enforcement of any fine, penalty, or forfeiture, pecuniary or otherwise, incurred under any Act of Congress.

§ 1356. Seizures not within admiralty and maritime jurisdiction

The district courts shall have original jurisdiction, exclusive of the courts of the States, of any seizure under any law of the United States on land or upon waters not within admiralty and maritime jurisdiction.

§ 1357. Injuries under Federal laws

The district courts shall have original jurisdiction of any civil action commenced by any person to recover damages for any injury to his person or property on account of any act done by him, under any Act of Congress, for the protection or collection of any of the revenues, or to enforce the right of citizens of the United States to vote in any State.

§ 1358. Eminent domain

The district courts shall have original jurisdiction of all proceedings to condemn real estate for the use of the United States or its departments or agencies.

§ 1359. Parties collusively joined or made

A district court shall not have jurisdiction of a civil action in which any party, by assignment or otherwise, has been improperly or collusively made or joined to invoke the jurisdiction of such court.

CHAPTER 87—DISTRICT COURTS; VENUE

Sec.

1391. Venue generally.
1392. Defendants or property in different districts in same State.
1393. Divisions; single defendant; defendants in different divisions.
1394. Banking association's action against Comptroller of Currency.
1395. Fine, penalty or forfeiture.
1396. Internal revenue taxes.
1397. Interpleader.
1398. Interstate Commerce Commisson's orders.
1399. Partition action involving United States.
1400. Patents and copyrights.
1401. Stockholder's derivative action.
1402. United States as defendant.
1403. Eminent domain.
1404. Change of venue.
1405. Creation or alteration of district or division.
1406. Cure or waiver of defects.

§ 1391. Venue generally

(a) A civil action wherein jurisdiction is founded only on diversity of citizenship may, except as otherwise provided by law, be brought only in the judicial district where all plaintiffs or all defendants reside.

(b) A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought only in the judicial district where all defendants reside, except as otherwise provided by law.

(c) A corporation may be sued in any judicial district in which it is incorporated or licensed to do business or is doing business, and such judicial district shall be regarded as the residence of such corporation for venue purposes.

(d) An alien may be sued in any district.

§ 1392. Defendants or property in different districts in same State

(a) Any civil action, not of a local nature, against defendants residing in different districts in the same State, may be brought in any of such districts.

(b) Any civil action, of a local nature, involving property located in different districts in the same State, may be brought in any of such districts.

§ 1393. Divisions; single defendant; defendants in different divisions

(a) Except as otherwise provided, any civil action, not of a local nature, against a single defendant in a district containing more than one division must be brought in the division where he resides.

(b) Any such action, against defendants residing in different divisions of the same district or different districts in the same State, may be brought in any of such divisions.

§ 1394. Banking association's action against Comptroller of Currency

Any civil action by a national banking association to enjoin the

Comptroller of the Currency, under the provisions of any Act of Congress relating to such associations, may be prosecuted in the judicial district where such association is located.

§ 1395. Fine, penalty or forfeiture

(a) A civil proceeding for the recovery of a pecuniary fine, penalty or forfeiture may be prosecuted in the district where it accrues or the defendant is found.

(b) A civil proceeding for the forfeiture of property may be prosecuted in any district where such property is found.

(c) A civil proceeding for the forfeiture of property seized outside any judicial district may be prosecuted in any district into which the property is brought.

(d) A proceeding in admiralty for the enforcement of fines, penalties and forfeitures against a vessel may be brought in any district in which the vessel is arrested.

(e) Any proceeding for the forfeiture of a vessel or cargo entering a port of entry closed by the President in pursuance of law, or of goods and chattels coming from a State or section declared by proclamation of the President to be in insurrection, or of any vessel or vehicle conveying persons or property to or from such State or section or belonging in whole or in part to a resident thereof, may be prosecuted in any district into which the property is taken and in which the proceeding is instituted.

§ 1396. Internal revenue taxes

Any civil action for the collection of internal revenue taxes may be brought in the district where the liability for such tax accrues, in the district of the taxpayer's residence, or in the district where the return was filed.

§ 1397. Interpleader

Any civil action of interpleader or in the nature of interpleader under section 1335 of this title may be brought in the judicial district in which one or more of the claimants reside.

Ante, p. 931.

§ 1398. Interstate Commerce Commission's orders

Except as otherwise provided by law, any civil action to enforce, suspend or set aside in whole or in part an order of the Interstate Commerce Commission shall be brought only in the judicial district wherein is the residence or principal office of any of the parties bringing such action.

§ 1399. Partition action involving United States

Any civil action by any tenant in common or joint tenant for the partition of lands, where the United States is one of the tenants in common or joint tenants, may be brought only in the judicial district where such lands are located or, if located in different districts in the same State, in any of such districts.

§ 1400. Patents and copyrights

(a) Civil actions, suits, or proceedings arising under any Act of Congress relating to copyrights may be instituted in the district in which the defendant or his agent resides or may be found.

(b) Any civil action for patent infringement may be brought in the judicial district where the defendant resides, or where the defendant has committed acts of infringement and has a regular and established place of business.

§ 1401. Stockholder's derivative action

Any civil action by a stockholder on behalf of his corporation may be prosecuted in any judicial district where the corporation might have sued the same defendants.

§ 1402. United States as defendant

(a) Any civil action against the United States under subsection (a) of section 1346 of this title may be prosecuted only in the judicial district where the plaintiff resides. *Ante*, p. 933.

(b) Any civil action on a tort claim against the United States under subsection (b) of section 1346 of this title may be prosecuted only in the judicial district where the plaintiff resides or wherein the act or omission complained of occurred. *Ante*, p. 933.

§ 1403. Eminent domain

Proceedings to condemn real estate for the use of the United States or its departments or agencies shall be brought in the district court of the district where the land is located or, if located in different districts in the same State, in any of such districts.

§ 1404. Change of venue

(a) For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.

(b) Upon motion, consent or stipulation of all parties, any action, suit or proceeding of a civil nature or any motion or hearing thereof, may be transferred, in the discretion of the court, from the division in which pending to any other division in the same district. Transfer of proceedings in rem brought by or on behalf of the United States may be transferred under this section without the consent of the United States where all other parties request transfer.

(c) A district court may order any civil action to be tried at any place within the division in which it is pending.

§ 1405. Creation or alteration of district or division

Actions or proceedings pending at the time of the creation of a new district or division or transfer of a county or territory from one division or district to another may be tried in the district or division as it existed at the institution of the action or proceeding, or in the district or division so created or to which the county or territory is so transferred as the parties shall agree or the court direct.

§ 1406. Cure or waiver of defects

(a) The district court of a district in which is filed a case laying venue in the wrong division or district shall transfer such case to any district or division in which it could have been brought.

(b) Nothing in this chapter shall impair the jurisdiction of a district court of any matter involving a party who does not interpose timely and sufficient objection to the venue.

CHAPTER 89—DISTRICT COURTS; REMOVAL OF CASES FROM STATE COURTS

Sec.

1441. Actions removable generally.
1442. Federal officers sued or prosecuted.
1443. Civil rights cases.
1444. Foreclosure action against United States.
1445. Carriers; non-removable actions.
1446. Procedure for removal.
1447. Procedure after removal generally.
1448. Process after removal.
1449. State court record supplied.
1450. Attachment or sequestration; securities.

§ 1441. Actions removable generally

(a) Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United

States for the district and division embracing the place where such action is pending.

(b) Any civil action of which the district courts have original jurisdiction founded on a claim or right arising under the Constitution, treaties or laws of the United States shall be removable without regard to the citizenship or residence of the parties. Any other such action shall be removable only if none of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.

(c) Whenever a separate and independent claim or cause of action, which would be removable if sued upon alone, is joined with one or more otherwise non-removable claims or causes of action, the entire case may be removed and the district court may determine all issues therein, or, in its discretion, may remand all matters not otherwise within its original jurisdiction.

§ 1442. Federal officers sued or prosecuted

(a) A civil action or criminal prosecution commenced in a State court against any of the following persons may be removed by them to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) Any officer of the United States or any agency thereof, or person acting under him, for any act under color of such office or on account of any right, title or authority claimed under any Act of Congress for the apprehension or punishment of criminals or the collection of the revenue.

(2) A property holder whose title is derived from any such officer, where such action or prosecution affects the validity of any law of the United States.

(3) Any officer of the courts of the United States, for any Act under color of office or in the performance of his duties;

(4) Any officer of either House of Congress, for any act in the discharge of his official duty under an order of such House.

Personal action commenced by alien.

(b) A personal action commenced in any State court by an alien against any citizen of a State who is, or at the time the alleged action accrued was, a civil officer of the United States and is a nonresident of such State, wherein jurisdiction is obtained by the State court by personal service of process, may be removed by the defendant to the district court of the United States for the district and division in which the defendant was served with process.

§ 1443. Civil rights cases

Any of the following civil actions or criminal prosecutions, commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;

(2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.

§ 1444. Foreclosure action against United States

Post, p. 972.

Any action brought under section 2410 of this title against the United States in any State may be removed by the United States to the district court of the United States for the district and divisions in which the action is pending.

§ 1445. Carriers; non-removable actions

(a) A civil action in any State court against a railroad or its receivers or trustees, arising under sections 51–60 of Title 45, may not be removed to any district court of the United States. *Post*, p. 989.

(b) A civil action in any State court against a common carrier or its receivers or trustees to recover damages for delay, loss, or injury of shipments, arising under section 20 of Title 49, may not be removed to any district court of the United States unless the matter in controversy exceeds $3,000, exclusive of interest and costs. *Ante*, p. 295.

§ 1446. Procedure for removal

(a) A defendant or defendants desiring to remove any civil action or criminal prosecution from a State court shall file in the district court of the United States for the district and division within which such action is pending a verified petition containing a short and plain statement of the facts which entitle him or them to removal together with a copy of all process, pleadings and orders served upon him or them in such action.

Time for filing petition.

(b) The petition for removal of a civil action or proceeding may be filed within twenty days after commencement of the action or service of process, whichever is later.

(c) The petition for removal of a criminal prosecution may be filed at any time before trial.

Bond.

(d) Each petition for removal of a civil action or proceeding, except a petition in behalf of the United States, shall be accompanied by a bond with good and sufficient surety conditioned that the defendant or defendants will pay all costs and disbursements incurred by reason of the removal proceedings should it be determined that the case was not removable or was improperly removed.

(e) Upon the filing of such petition and bond the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the petition with the clerk of such State court, which shall effect the removal and the State court shall proceed no further therein unless the case is remanded.

(f) If the defendant or defendants are in actual custody on process issued by the State court, the district court shall issue its writ of habeas corpus, and the marshal shall thereupon take such defendant or defendants into his custody and deliver a copy of the writ to the clerk of such State court.

§ 1447. Procedure after removal generally

(a) In any case removed from a State court, the district court may issue all necessary orders and process to bring before it all proper parties whether served by process issued by the State court or otherwise.

(b) It may require the petitioner to file with its clerk copies of all records and proceedings in such State court or may cause the same to be brought before it by writ of certiorari issued to such State court.

(c) It may order the pleadings recast and the parties realigned according to their real interest.

(d) If any party fails to comply with its lawful orders, the district court may enter such further orders and judgments as justice requires.

(e) If at any time before final judgment it appears that the case was removed improvidently and without jurisdiction, the district court shall remand the case. A certified copy of the order of remand shall be mailed by its clerk to the clerk of the State court. The State court may thereupon proceed with such case.

§ 1448. Process after removal

In all cases removed from any State court to any district court of the United States in which any one or more of the defendants has not been served with process or in which the service has not been perfected prior to removal, or in which process served proves to be defective, such process or service may be completed or new process issued in the same manner as in cases originally filed in such district court.

This section shall not deprive any defendant upon whom process is served after removal of his right to move to remand the case.

§ 1449. State court record supplied

Where a party is entitled to copies of the records and proceedings in any suit or prosecution in a State court, to be used in any district court of the United States, any attachment or sequestration of the demand, and the payment or tender of the legal fees, fails to deliver certified copies, the district court may, on affidavit reciting such facts, direct such record to be supplied by affidavit or otherwise. Thereupon such proceeding, trial, and judgment may be had in such district court, and all such process awarded, as if certified copies had been filed in the district court.

§ 1450. Attachment or sequestration; securities

Whenever any action is removed from a State court to a district court of the United States, any attachment or sequestration of the goods or estate of the defendant in such action in the State court shall hold the goods or estate to answer the final judgment or decree in the same manner as they would have been held to answer final judgment or decree had it been rendered by the State court.

All bonds, undertakings, or security given by either party in such action prior to its removal shall remain valid and effectual notwithstanding such removal.

All injunctions, orders, and other proceedings had in such action prior to its removal shall remain in full force and effect until dissolved or modified by the district court.

CHAPTER 91—COURT OF CLAIMS

Sec.

1491. Claims against United States generally.
1492. Congressional reference cases.
1493. Departmental reference cases.
1494. Accounts of officers, agents or contractors.
1495. Damages for unjust conviction and imprisonment; claim against United States.
1496. Disbursing officers' claims.
1497. Oyster growers' damages from dredging operations.
1498. Patent cases.
1499. Penalties imposed against contractors under eight hour law.
1500. Pendency of claims in other courts.
1501. Pensions.
1502. Treaty cases.
1503. Set-offs.
1504. Tort claims.

§ 1491. Claims against United States generally

The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States:

(1) Founded upon the Constitution; or

(2) Founded upon any Act of Congress; or

(3) Founded upon any regulation of an executive department; or

(4) Founded upon any express or implied contract with the United States; or

(5) For liquidated or unliquidated damages in cases not sounding in tort.

§ 1492. Congressional reference cases

The Court of Claims shall have jurisdiction to report to either House of Congress on any bill referred to the court by such House, except a bill for a pension, and to render judgment if the claim against the United States represented by the referred bill is one over which the court has jurisdiction under other Acts of Congress.

§ 1493. Departmental reference cases

The Court of Claims shall have jurisdiction to report to the head of any executive department on any claim or matter involving controverted questions of law or fact and referred by him to such court, and to render judgment if the claim or matter referred is one over which the court has jurisdiction under other Acts of Congress.

§ 1494. Accounts of officers, agents or contractors

The Court of Claims shall have jurisdiction to determine the amount, if any, due the United States by reason of any unsettled account of any officer or agent of, or contractor with, the United States, or a guarantor, surety or personal representative of any such officer, agent or contractor, where:

(1) claimant or the person he represents has applied to the proper department of the Government for settlement of the account;

(2) three years have elapsed from the date of such application without settlement; and

(3) no suit upon the same has been brought by the United States.

§ 1495. Damages for unjust conviction and imprisonment; claim against United States

The Court of Claims shall have jurisdiction to render judgment upon any claim for damages by any person unjustly convicted of an offense against the United States and imprisoned.

§ 1496. Disbursing officers' claims

The Court of Claims shall have jurisdiction to render judgment upon any claim by a disbursing officer of the United States or by his administrator or executor for relief from responsibility for loss, in line of duty, of Government funds, vouchers, records or other papers in his charge.

§ 1497. Oyster growers, damages from dredging operations

The Court of Claims shall have jurisdiction to render judgment upon any claim for damages to oyster growers on private or leased lands or bottoms arising from dredging operations or use of other machinery and equipment in making river and harbor improvements authorized by Act of Congress.

§ 1498. Patent cases

The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States for the recovery of the reasonable and entire compensation for the use or manufacture of an invention covered by a patent of the United States which has been used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same.

The court shall not award compensation under this section if the claim is based on the use or manufacture by or for the United States of any article owned, leased, used by, or in the possession of the United States prior to July 1, 1918.

This section shall not confer a right of action on any patentee who, when he makes such a claim, is in the employment or service of the

United States, or any assignee of such patentee, and shall not apply to any device discovered or invented by an employee during the time of such employment or service.

§ 1499. Penalties imposed against contractors under eight hour law

The Court of Claims shall have jurisdiction to render judgment upon any claim for a penalty withheld from a contractor or subcontractor under section 324 of Title 40.

Post, p. 989.

§ 1500. Pendency of claims in other courts

The Court of Claims shall not have jurisdiction of any claim for or in respect to which the plaintiff or his assignee has pending in any other court any suit or process against the United States or any person who, at the time when the cause of action alleged in such suit or process arose, was, in respect thereto, acting or professing to act, directly or indirectly under the authority of the United States.

§ 1501. Pensions

The Court of Claims shall not have jurisdiction of any claim for a pension.

§ 1502. Treaty cases

Except as otherwise provided by Act of Congress, the Court of Claims shall not have jurisdiction of any claim against the United States growing out of or dependent upon any treaty entered into with foreign nations or with Indian tribes.

§ 1503. Set-offs

The Court of Claims shall have jurisdiction to render judgment upon any set-off or demand by the United States against any plaintiff in such court.

§ 1504. Tort claims

The Court of Claims shall have jurisdiction to review by appeal final judgments in the district courts in civil actions based on tort claims brought under section 1346 (b) of this title if the notice of appeal filed in the district court has affixed thereto the written consent on behalf of all the appellees that the appeal be taken to the Court of Claims.

Ante, p. 933.

CHAPTER 93—COURT OF CUSTOMS AND PATENT APPEALS

Sec.

1541. Customs Court decisions.
1542. Patent Office decisions.
1543. Tariff Commission decisions.

§ 1541. Customs Court decisions

The Court of Customs and Patent Appeals shall have jurisdiction to review by appeal final decisions of the Customs Court in all cases as to the construction of the law and the facts respecting the classification of merchandise, the rate of duty imposed thereon under such classifications, and the fees and charges connected therewith, and all appealable questions as to the jurisdiction of the Customs Court and as to the laws and regulations governing the collection of the customs revenues.

§ 1542. Patent Office decisions

The Court of Customs and Patent Appeals shall have jurisdiction of appeals from decisions of:

(1) the Board of Appeals and the Board of Interference Examiners of the Patent Office as to patent applications and interferences, at the instance of an applicant for a patent or any party

to a patent interference, and such appeal by an applicant shall waive his right to proceed under section 63 of Title 35; and

(2) the Commissioner of Patents as to trade-mark applications, interferences and cancellations, at the instance of a party applying for or opposing the registration of a trade-mark, or seeking its cancellation, or any party to a trade-mark interference.

§ 1543. Tariff Commission decisions

The Court of Customs and Patent Appeals shall have jurisdiction to review, by appeal on questions of law only, the findings of the United States Tariff Commission as to unfair practices in import trade, made under section 1337 of Title 19.

CHAPTER 95—CUSTOMS COURT

Sec.

1581. Powers generally.
1582. Review of reappraisement; remission of duties.
1583. Review of decisions on protests.

§ 1581. Powers generally

The Customs Court and each judge thereof shall possess all the powers of a district court of the United States for preserving order, compelling the attendance of witnesses and the production of evidence.

§ 1582. Review of reappraisement; remission of duties

The Customs Court shall have exclusive jurisdiction of appeals for reappraisement and applications for review of reappraisement of imported merchandise and petitions for remission of additional duties filed under the customs laws.

§ 1583. Review of decisions on protests

The Customs Court shall have exclusive jurisdiction to review on protest the decisions of any collector of customs, including all orders and findings entering into the same, as to the rate and amount of duties chargeable and as to all exactions of whatever character within the jurisdiction of the Secretary of the Treasury; decisions excluding any merchandise from entry or delivery, under any provision of the customs laws; and the liquidation or reliquidation of any entry, or the refusal to pay any claim for drawback or to reliquidate an entry for a clerical error as provided by the customs laws.

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CHAPTER 111—GENERAL PROVISIONS

Sec.

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§ 1651. Writs

(a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions agreeable to the usages and principles of law.

(b) An alternative writ or rule nisi may be issued by a justice or judge of a court which has jurisdiction.

§ 1652. State laws as rules of decision

The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.

§ 1653. Amendment of pleadings to show jurisdiction

Defective allegations of jurisdiction may be amended, upon terms, in the trial or appellate courts.

§ 1654. Appearance personally or by counsel

In all courts of the United States the parties may plead and conduct their own cases personally or by counsel.

§ 1655. Lien enforcement; absent defendants

In an action in a district court to enforce any lien upon or claim to, or to remove any incumbrance or lien or cloud upon the title to, real or personal property within the district, where any defendant can not be served within the State, or does not voluntarily appear, the court may order the absent defendant to appear or plead by a day certain.

Such order shall be served on the absent defendant personally if practicable, wherever found, and also upon the person or persons in possession or charge of such property, if any. Where personal service is not practicable, the order shall be published as the court may direct, not less than once a week for six consecutive weeks.

If an absent defendant does not appear or plead within the time allowed, the court may proceed as if the absent defendant had been served with process within the State, but any adjudication shall, as regards the absent defendant without appearance, affect only the property which is the subject of the action. When a part of the property is within another district, but within the same state, such action may be brought in either district.

Any defendant not so personally notified may, at any time within one year after final judgment, enter his appearance, and thereupon the court shall set aside the judgment and permit such defendant to plead on payment of such costs as the court deems just.

§ 1656. Creation of new district or division or transfer of territory; lien enforcement

The creation of a new district or division or the transfer of any territory to another district or division shall not affect or divest any lien theretofore acquired in a district court upon property within such district, division or territory.

To enforce such lien, the clerk of the court in which the same is acquired, upon the request and at the cost of the party desiring the same, shall make a certified copy of the record thereof, which, when filed in the proper court of the district or division in which such property is situated after such creation or transfer shall be evidence in all courts and places equally with the original thereof; and, thereafter like proceedings shall be had thereon, and with the same effect, as though the case or proceeding had been originally instituted in such court.

CHAPTER 113—PROCESS

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1691. Seal and teste of process.
1692. Process and orders affecting property in different districts.
1693. Place of arrest in civil action.
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1695. Stockholder's derivative action.

§ 1691. Seal and teste of process

All writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof.

§ 1692. Process and orders affecting property in different districts

In proceedings in a district court where a receiver is appointed for property, real, personal, or mixed, situated in different districts, process may issue and be executed in any such district as if the property lay wholly within one district, but orders affecting the property shall be entered of record in each of such districts.

§ 1693. Place of arrest in civil action

Except as otherwise provided by Act of Congress, no person shall be arrested in one district for trial in another in any civil action in a district court.

§ 1694. Patent infringement action

In a patent infringement action commenced in a district where the defendant is not a resident but has a regular and established place of business, service of process, summons or subpoena upon such defendant may be made upon his agent or agents conducting such business.

§ 1695. Stockholder's derivative action

Process in a stockholder's action in behalf of his corporation may be served upon such corporation in any district where it is organized or licensed to do business or is doing business.

CHAPTER 115—EVIDENCE; DOCUMENTARY

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1732. Record made in regular course of business.
1733. Government records and papers; copies.
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1741. Foreign documents generally; copies.
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1743. Demand on postmaster.
1744. Copies of patent office documents generally.
1745. Printed copies of patent specifications and drawings.
1746. Copies of foreign patent specifications and drawings.

§ 1731. Handwriting

The admitted or proved handwriting of any person shall be admissible, for purposes of comparison, to determine genuineness of other handwriting attributed to such person.

§ 1732. Record made in regular course of business

In any court of the United States and in any court established by Act of Congress, any writing or record, whether in the form of an

entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible as evidence of such act, transaction, occurrence, or event, if made in regular course of any business, and if it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter.

All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but such circumstances shall not affect its admissibility.

"Business."

The term "business," as used in this section, includes business, profession, occupation, and calling of every kind.

§ 1733. Government records and papers; copies

(a) Books or records of account or minutes of proceedings of any department or agency of the United States shall be admissible to prove the act, transaction or occurrence as a memorandum of which the same were made or kept.

(b) Properly authenticated copies or transcripts of any books, records, papers or documents of any department or agency of the United States shall be admitted in evidence equally with the originals thereof.

§ 1734. Court record lost or destroyed, generally

(a) A lost or destroyed record of any proceeding in any court of the United States may be supplied on application of any interested party not at fault, by substituting a copy certified by the clerk of any court in which an authentic copy is lodged.

(b) Where a certified copy is not available, any interested person not at fault may file in such court a verified application for an order establishing the lost or destroyed record.

Every other interested person shall be served personally with a copy of the application and with notice of hearing on a day stated, not less than sixty days after service. Service may be made on any nonresident of the district anywhere within the jurisdiction of the United States or in any foreign country.

Proof of service in foreign country.

Proof of service in a foreign country shall be certified by a minister or consul of the United States in such country, under his official seal.

If, after the hearing, the court is satisfied that the statements contained in the application are true, it shall enter an order reciting the substance and effect of the lost or destroyed record. Such order, subject to intervening rights of third persons, shall have the same effect as the original record.

§ 1735. Court record lost or destroyed where United States interested

(a) When the record of any case or matter in any court of the United States to which the United States is a party, is lost or destroyed, a certified copy of any official paper of a United States attorney, United States marshal or clerk or other certifying or recording officer of any such court, made pursuant to law, on file in any department or agency of the United States and relating to such case or matter, shall, on being filed in the court to which it relates, have the same effect as an original paper filed in such court. If the copy so filed discloses the date and amount of a judgment or decree and the names of the parties thereto, the court may enforce the judgment or decree as though the original record had not been lost or destroyed.

(b) Whenever the United States is interested in any lost or destroyed records or files of a court of the United States, the clerk

of such court and the United States attorney for the district shall take the steps necessary to restore such records or files, under the direction of the judges of such court.

§ 1736. Congressional Journals

Extracts from the Journals of the Senate and the House of Representatives, and from the Executive Journal of the Senate when the injunction of secrecy is removed, certified by the Secretary of the Senate or the Clerk of the House of Representatives shall be received in evidence with the same effect as the originals would have.

§ 1737. Copy of officer's bond

Any person to whose custody the bond of any officer of the United States has been committed shall, on proper request and payment of the fee allowed by any Act of Congress, furnish certified copies thereof, which shall be prima facie evidence in any court of the execution, filing and contents of the bond.

§ 1738. State and Territorial statutes and judicial proceedings; full faith and credit

The Acts of the legislature of any State, Territory, or Possession of the United States, or copies thereof, shall be authenticated by affixing the seal of such State, Territory or Possession thereto.

The records and judicial proceedings of any court of any such State, Territory or Possession, or copies thereof, shall be proved or admitted in other courts within the United States and its Territories and Possessions by the attestation of the clerk and seal of the court annexed, if a seal exists, together with a certificate of a judge of the court that the said attestation is in proper form.

Such Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory or Possession from which they are taken.

§ 1739. State and Territorial nonjudicial records; full faith and credit

All nonjudicial records or books kept in any public office of any State, Territory, or Possession of the United States, or copies thereof, shall be proved or admitted in any court or office in any other State, Territory, or Possession by the attestation of the custodian of such records or books, and the seal of his office annexed, if there be a seal, together with a certificate of a judge of a court of record of the county, parish, or district in which such office may be kept, or of the Governor, or secretary of state, the chancellor or keeper of the great seal, of the State, Territory, or Possession that the said attestation is in due form and by the proper officers.

If the certificate is given by a judge, it shall be further authenticated by the clerk or prothonotary of the court, who shall certify, under his hand and the seal of his office, that such judge is duly commissioned and qualified; or, if given by such Governor, secretary, chancellor, or keeper of the great seal, it shall be under the great seal of the State, Territory, or Possession in which it is made.

Such records or books, or copies thereof, so authenticated, shall have the same full faith and credit in every court and office within the United States and its Territories and Possessions as they have by law or usage in the courts or offices of the State, Territory, or Possession from which they are taken.

§ 1740. Copies of consular papers

Copies of all official documents and papers in the office of any consul or vice consul of the United States, and of all official entries in the

books or records of any such office, authenticated by the consul or vice consul, shall be admissible equally with the originals.

§ 1741. Foreign documents, generally; copies

A copy of any foreign document of record or on file in a public office of a foreign country or political subdivision thereof, certified by the lawful custodian thereof, shall be admissable in evidence when authenticated by a certificate of a consular officer of the United States resident in such foreign country, under the seal of his office, that the copy has been certified by the lawful custodian.

§ 1742. Land titles; foreign records

A keeper or person having custody of laws, judgments, orders, decrees, journals, correspondence, or other public documents of any foreign government or its agents, relating to the title to lands claimed by or under the United States, on the application of the head of a department or agency of the United States, may authenticate and certify copies thereof under his hand and seal.

When such copies are certified by an American minister or consul, under his hand and seal of office, to be true copies of the originals, they shall be sealed up by him and returned to the General Counsel for the Department of the Treasury, who shall file them in his office, and cause them to be recorded in a book to be kept for that purpose.

A certified copy of any such law, judgment, order, decree, journal, correspondence, or other public document, so filed, or recorded may be read in evidence, equally with the original, in any court, where the title to land claimed by or under the United States may come into question.

§ 1743. Demand on postmaster

The certificate of the Postmaster General or the General Accounting Office of the mailing to a postmaster of a statement of his account and that payment of the balance stated has not been received shall be sufficient evidence of a demand notwithstanding any allowances or credits subsequently made. A copy of such statement shall be attached to the certificate.

§ 1744. Copies of Patent Office documents, generally

Copies of letters patent or of any records, books, papers, or drawings belonging to the Patent Office and relating to registered trademarks, labels, or prints, authenticated under the seal of the Patent Office and certified by the Commissioner of Patents, shall be admissible in evidence with the same effect as the originals.

Any person making application and paying the required fee may obtain such certified copies.

§ 1745. Printed copies of patent specifications and drawings

Copies of specifications and drawings which the Commissioner of Patents prints for gratuitous distribution and deposits in the capitols of the States and Territories and in the offices of clerks of the district courts, when certified by him and authenticated by the seal of his office, shall be received in all courts as evidence of all matters therein contained.

§ 1746. Copies of foreign patent specifications and drawings

Copies of the specifications and drawings of foreign letters patent, certified in the manner provided in section 1744 of this title, shall be prima facie evidence of the fact of the granting of such letters patent and of the date and contents thereof.

Supra.

CHAPTER 117—EVIDENCE; DEPOSITIONS

Sec.
1781. Foreign witnesses.
1782. Testimony for use in foreign country.
1783. Subpoena of witness in foreign country.
1784. Contempt.
1785. Privilege against incrimination.

§ 1781. Foreign witnesses

Whenever a court of the United States issues letters rogatory or a commission to take a deposition in a foreign country, the foreign court or officer executing the same may make return thereof to the nearest United States minister or consul, who shall endorse thereon the place and date of his receipt and any change in the condition of the deposition, and transmit it to the clerk of the issuing court in the manner in which his official dispatches are transmitted to the United States Government.

§ 1782. Testimony for use in foreign country

The deposition of any witness residing within the United States to be used in any civil action pending in any court in a foreign country with which the United States is at peace may be taken before a person authorized to administer oaths designated by the district court of any district where the witness resides or may be found.

The practice and procedure in taking such depositions shall conform generally to the practice and procedure for taking depositions to be used in courts of the United States.

§ 1783. Subpoena of witness in foreign country

(a) A court of the United States may subpoena, for appearance before it, a citizen or resident of the United States who:

(1) Has been personally notified in a foreign country to appear before a court thereof to testify pursuant to letters rogatory issued by such court of the United States, and who has failed to appear or has failed to answer any question which he would be required to answer were he being examined before such court of the United States; or

(2) is beyond the jurisdiction of the United States and whose testimony in a criminal proceeding is desired by the Attorney General.

(b) The subpoena shall designate the time and place for appearance before such court of the United States, and shall issue to any United States consul in such foreign country. The consul shall make personal service of the subpoena and any order to show cause, rule, judgment or decree on the request of the court of the United States or its marshal, and shall make return thereof to such court after tendering to the witness his necessary travel and attendance expenses, which shall be determined by such court and sent with the subpoena.

§ 1784. Contempt

(a) A court of the United States which has issued a subpoena served personally in a foreign country may order the witness who has failed to appear as directed therein to show cause before it at a designated time why he should not be punished for contempt.

(b) If security is given for any damage which the witness might suffer should the charge be dismissed, the court may direct, as a part of such order, that any property of the witness within the United States be levied upon or seized, in the manner provided by law or court rules governing levy or seizure under execution, and held to satisfy any judgment that may be rendered against the witness. The security required by this subsection shall not be required of the United States.

(c) The marshal making such levy or seizure shall forward to any United States consul within the country where the witness may be a copy of such order and a request that the consul make personal service of the order on the witness. The marshal shall also cause the order to be published once each week for six consecutive weeks in some newspaper of general circulation in the district where the court which issued the order sits.

(d) On the return day of such order or any later day to which the hearing may be continued, proof shall be taken. If the charge of recusancy against the witness is sustained, the court may adjudge him guilty of contempt and, notwithstanding any limitation upon the power of the court generally to punish for contempt, may fine him not more than $100,000 and direct that the fine and costs of the proceeding be satisfied unless paid by a sale of the property levied upon or seized, such sale to be conducted upon the notice required and in the manner provided for sales upon execution. Any such judgment rendered upon service by publication only may be opened for answer within one year.

§ 1785. Privilege against incrimination

A witness shall not be required on examination under letters rogatory to disclose or produce any evidence tending to incriminate him under the laws of any State or Territory of the United States or any foreign state.

CHAPTER 119—EVIDENCE; WITNESSES

Sec.
1821. Per diem and mileage generally; subsistence.
1822. Competency of interested persons; share of penalties payable.
1823. United States officers and employees.
1824. Mileage fees under summons as both witness and juror.
1825. Payment of fees.

§ 1821. Per diem and mileage generally; subsistence

A witness attending in any court of the United States or before a United States commissioner or person taking his deposition pursuant to any order of a court of the United States, shall receive $2 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 5 cents per mile for going from and returning to his place of residence. Witnesses who are not salaried employees of the Government and who are not in custody and who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $3 per day for expenses of subsistence.

§ 1822. Competency of interested persons; share of penalties payable

Any person interested in a share of any fine, penalty or forfeiture incurred under any Act of Congress, may be examined as a witness in any proceeding for the recovery of such fine, penalty or forefeiture by any party thereto. Such examination shall not deprive the witness of his share.

§ 1823. United States officers and employees

(a) Any officer or employee of the United States or any agency thereof, summoned as a witness on behalf of the United States, shall be paid his necessary expenses incident to travel by common carrier, and if travel is made by privately owned automobile mileage at a rate not to exceed 5 cents per mile, together with a per diem allowance not to exceed $6 in lieu of subsistence under regulations prescribed by the Attorney General. Such expenses for oppearing as a witness in any case involving the activity in connection with which such person is employed, shall be payable from the appropriation otherwise

available for travel expenses of such officer or employee upon proper certification by a certifying officer of the department or agency concerned.

(b) Employees of the United States or an agency thereof in active service called as witnesses on behalf of the District of Columbia in any judicial proceeding in which the government of the District of Columbia is a party, and employees of such government called as witness on behalf of the United States or the District of Columbia in any judicial proceeding in which the United States or the government of the District of Columbia is a party, shall not be paid witness fees, but the period of such service shall be without loss of salary or compensation and shall not be deducted from any authorized leave of absence with pay.

(c) No officer of any court of the United States located in any State, Territory or the District of Columbia shall be entitled to witness fees for attendance before any court or commissioner where he is officiating.

§ 1824. Mileage fees under summons as both witness and juror

No constructive or double mileage fees shall be allowed by reason of any person being summoned both as a witness and a juror.

§ 1825. Payment of fees

In any case wherein the United States or an officer or agency thereof, is a party, the United States marshal for the district shall pay all fees of witnesses on the certificate of the United States Attorney or Assistant United States Attorney, and in the proceedings before a United States Commissioner, on the certificate of such commissioner.

Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof.

CHAPTER 121—JURIES; TRIAL BY JURY

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1861. Qualifications.
1862. Exemptions.
1863. Exclusion or excuse from service.
1864. Manner of drawing; jury commissioners and their compensation.
1865. Apportionment within district; additional jury commissioners.
1866. Special petit juries; talesmen from bystanders.
1867. Summoning jurors.
1868. Disqualification of marshal or deputy.
1869. Frequency of service.
1870. Challenges.
1871. Fees.
1872. Issues of fact in Supreme Court.
1873. Admiralty and maritime cases.
1874. Actions on bonds and specialties.

§ 1861. Qualifications

Any citizen of the United States who has attained the age of 21 years and resides within the judicial district, is competent to serve as a grand or petit juror unless:

(1) He has been convicted in a state or federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

(2) He is unable to read, write, speak and understand the English language.

(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service.

(4) He is incompetent to serve as a grand or petit juror by the law of the State in which the district court is held.

§ 1862. Exemptions

The following persons shall be exempt from jury service:

(1) Members in active service in the armed forces of the United States.

(2) Members of the Fire or Police departments of any State, District, Territory, Possession or subdivision thereof.

(3) Public officers in the executive, legislative or judicial branches of the government of the United States, or any State, District, Territory, or Possession or subdivision thereof who are actively engaged in the performance of official duties.

§ 1863. Exclusion or excuse from service

(a) A district judge for good cause may excuse or exclude from jury service any person called as a juror.

(b) Any class or group of persons may, for the public interest, be excluded from the jury panel or excused from service as jurors by order of the district judge based on a finding that such jury service would entail undue hardship, extreme inconvenience or serious obstruction or delay in the fair and impartial administration of justice.

(c) No citizen shall be excluded from service as grand or petit juror in any court of the United States on account of race or color.

§ 1864. Manner of drawing; jury commissioners and their compensation

The names of grand and petit jurors shall be publicly drawn from a box containing the names of not less than three hundred qualified persons at the time of each drawing.

The jury box shall from time to time be refilled by the clerk of court, or his deputy, and a jury commissioner, appointed by the court.

Such jury commissioner shall be a citizen of good standing, residing in the district and a well known member of the principal political party in the district, opposing that to which the clerk, or his deputy then acting, may belong. He shall receive $5 per day for each day necessarily employed in the performance of his duties.

The jury commissioner and the clerk, or his deputy, shall alternately place one name in the jury box without reference to party affiliations, until the box shall contain at least 300 names or such larger number as the court determines.

This section shall not apply to the District of Columbia.

§ 1865. Apportionment within district; additional jury commissioners

(a) Grand and petit jurors shall from time to time be selected from such parts of the district as the court directs so as to be most favorable to an impartial trial, and not to incur unnecessary expense or unduly burden the citizens of any part of the district with jury service. To this end the court may direct the maintenance of separate jury boxes for some or all of the places for holding court in the district and may appoint a jury commissioner for each such place.

(b) Grand or petit jurors summoned for service at one place for holding court in a district may, if the public convenience so requires and the jurors will not be unduly burdened thereby, be directed to serve at another place in the same district.

§ 1866. Special petit juries; talesmen from bystanders

Whenever sufficient petit jurors are not available, the court may order a special jury to be drawn or may require the United States marshal to summon a sufficient number of talesmen from the bystanders.

§ 1867. **Summoning jurors**

When the court orders a grand or petit jury to be drawn the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service.

Each person drawn for jury service may be served personally or by registered mail addressed to such person at his usual residence or business address.

Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered summons, where service is made by mail.

§ 1868. **Disqualification of marshal or deputy**

Whenever the United States marshal or his deputy is, in the opinion of the court, disqualified to summon grand or petit jurors, the court may appoint some disinterested person who shall take oath to perform such duty truly and impartially.

§ 1869. **Frequency of service**

In any district court, a petit juror may be challenged on the ground that he has been summoned and attended such court as a petit juror at any term held within one year prior to the challenge.

§ 1870. **Challenges**

In civil cases, each party shall be entitled to three peremptory challenges. Several defendants or several plaintiffs shall be considered as a single party for the purposes of making challenges. If there is more than one defendant the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly.

All challenges for cause or favor, whether to the array or panel or to individual jurors, shall be determined by the court.

§ 1871. **Fees**

Grand and petit jurors in district courts or before United States commissioners shall receive the following fees, except as otherwise expressly provided by law:

For actual attendance and for the time necessarily spent in going to and from the place of service, $4 per day;

For the distance necessarily traveled to and from a juror's residence by the shortest practicable route, 5 cents per mile.

Such fees shall be paid by the United States marshal on the cirtificate of attendance of the clerk of court.

§ 1872. **Issues of fact in Supreme Court**

In all original actions at law in the Supreme Court against citizens of the United States, issues of fact shall be tried by a jury.

§ 1873. **Admiralty and maritime cases**

In any case of admiralty and maritime jurisdiction relating to any matter of contract or tort arising upon or concerning any vessel of twenty tons or upward, enrolled and licensed for the coasting trade, and employed in the business of commerce and navigation between places in different states upon the lakes and navigable waters connecting said lakes, the trial of all issues of fact shall be by jury if either party demands it.

§ 1874. **Actions on bonds and specialties**

In all actions to recover the forfeiture annexed to any articles of agreement, covenant, bond, or other specialty, wherein the forfeiture, breach, or nonperformance appears by default or confession of the defendant, the court shall render judgment for the plaintiff for such

amount as is due. If the sum is uncertain, it shall, upon request of either party, be assessed by a jury.

CHAPTER 123—FEES AND COSTS

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1914. District courts; filing and miscellaneous fees; rules of court.
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1926. Court of Customs and Patent Appeals.
1927. Counsel's liability for excessive costs.
1928. Patent infringement action; disclaimer not filed.
1929. Extraordinary expenses not expressly authorized.

§ 1911. Supreme Court

The Supreme Court may fix the fees to be charged by its clerk.

The fees of the clerk, cost of serving process, and other necessary disbursements incidental to any case before the court, may be taxed against the litigants as the court directs.

§ 1912. Damages and costs on affirmance

Where a judgment is affirmed by the Supreme Court or a court of appeals, the court in its discretion may adjudge to the prevailing party just damages for his delay, and single or double costs.

§ 1913. Courts of appeals

The fees and costs to be charged and collected in each court of appeals shall be prescribed from time to time by the Judicial Conference of the United States. Such fees and costs shall be reasonable and uniform in all the circuits.

§ 1914. District court; filing and miscellaneous fees; rules of court

(a) The clerk of each district court shall require the parties instituting any civil action, suit or proceeding in such court, whether by original process, removal or otherwise, to pay a filing fee of $15, except that on application for a writ of habeas corpus the filing fee shall be $5.

(b) The clerk shall collect from the parties such additional fees only as are prescribed by the Judicial Conference of the United States.

(c) Each district court by rule or standing order may require advance payment of fees.

(d) This section shall not apply to the District of Columbia.

§ 1915. Proceedings in forma pauperis

(a) Any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees and costs or security therefor, by a citizen who makes affidavit that he is unable to pay such costs or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that he is entitled to redress.

An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.

(b) In any civil or criminal case the court may, upon the filing of a like affidavit, direct that the expense of furnishing a stenographic transcript and printing the record on appeal, if required by the appellate court, be paid by the United States, and the same shall be paid when authorized by the Director of the Administrative Office of the United States Courts.

(c) The officers of the court shall issue and serve all process, and perform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases.

(d) The court may request an attorney to represent any such person unable to employ counsel and may dismiss the case if the allegation of poverty is untrue, or if satisfied that the action is frivolous or malicious.

(e) Judgment may be rendered for costs at the conclusion of the suit or action as in other cases and if the United States has paid the cost of a stenographic transcript for the prevailing party, the same shall be taxed in favor of the United States.

§ 1916. Seamen's suits

In all courts of the United States, seamen may institute and prosecute suits and appeals in their own names and for their own benefit for wages or salvage or the enforcement of laws enacted for their health or safety without prepaying fees or costs or furnishing security therefor.

§ 1917. District courts; fee on filing notice of or petition for appeal

Upon the filing of any separate or joint notice of appeal or application for appeal or upon the receipt of any order allowing, or notice of the allowance of, an appeal or of a writ of certiorari $5 shall be paid to the clerk of the district court, by the appellant or petitioner.

§ 1918. District courts; fines, forfeitures and criminal proceedings

(a) Costs shall be included in any judgment, order, or decree rendered against any person for the violation of an Act of Congress in which a civil fine or forfeiture of property is provided for.

(b) Whenever any conviction for any offense not capital is obtained in a district court, the court may order that the defendant pay the costs of prosecution.

§ 1919. District courts; dismissal for lack of jurisdiction

Whenever any action or suit is dismissed in any district court for want of jurisdiction, such court may order the payment of just costs.

§ 1920. Taxation of costs

A judge or clerk of any court of the United States may tax as costs the following:

(1) Fees of the clerk and marshal;

(2) Fees of the court reporter for all or any part of the stenographic transcript necessarily obtained for use in the case;

(3) Fees and disbursements for printing and witnesses;

(4) Fees for exemplification and copies of papers necessarily obtained for use in the case;

(5) Docket fees under section 1923 of this title. *Post*, p. 956.

A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.

§ 1921. United States marshal's fees

Only the following fees of United States marshals shall be collected and taxed as costs, except as otherwise provided.

For serving a writ of possession, partition, execution, or any final process, the same mileage as is allowed for the service of any other writ, and for making the service, seizing or levying on property, advertising and disposing of the same by sale, set off, or otherwise according to law and receiving and paying over the money, the same fees and poundage as are or shall be allowed for similar services to the sheriffs of the States, respectively, in which the service is rendered;

In all cases in which the vessel or other property is sold by a public auctioneer or by some party other than the marshal or his deputy, the fee herein authorized to be paid to the marshal shall be reduced by the amount paid to said auctioneer or other party;

For sale of vessels or other property under process in admiralty, or under the order of a court of admiralty, and for receiving and paying over the money, 2½ per centum on any sum under $500, and 1¼ per centum on the excess of any sum over $500;

For the keeping of personal property attached on mesne process, such compensation as the court, on petition setting forth the facts under oath, may allow;

For the necessary expenses of keeping boats, vessels, or other property attached or libeled in admiralty, such amount as the court, on petition setting forth the facts under oath, may allow;

For serving a subpoena or summons on a witness or appraiser, 50 cents.

For service of an attachment in rem or libel in admiralty, $2.00.

For service of any warrant, attachment, summons, capias or other writ in a civil action or proceeding, $2.00 for each person served.

For every proclamation in admiralty, 30 cents.

For copies of writs or papers furnished at the request of any party, 10 cents a folio of 100 words or major fraction thereof.

For all services in a criminal case except for the summoning of witnesses, a sum to be fixed by the court not exceeding $25 where conviction is for a misdemeanor and not exceeding $100 where conviction is for a felony.

Travel expenses.

For necessary travel in serving any process in civil or criminal cases, 6 cents a mile to be computed from the place where the service is returned to the place of service or where more than one person is served, to the place of service which is most remote, adding thereto any additional travel necessary to serve the others. When two or more writs of any kind required to be served in behalf of the same party on the same person may be served at the same time, compensation for travel on only one such writ shall be taxable. The clerk shall insert in each subpoena, the names of as many witnesses in each case as convenience of service will permit.

§ 1922. Witness fees before United States commissioners

The fees of more than four witnesses shall not be taxed against the United States, in the examination of any criminal case before a United States commissioner, unless their materiality and importance are first approved and certified to by the United States attorney for the district in which the examination is had.

§ 1923. Docket fees and costs of briefs

(a) Attorney's and proctor's docket fees in courts of the United States may be taxed as costs as follows:

$20 on trial or final hearing in civil, criminal or admiralty cases, except that in cases of admiralty and maritime jurisdiction where the libellant recovers less than $50 the proctor's docket fee shall be $10;

$20 in admiralty appeals involving not over $1,000;

$50 in admiralty appeals involving not over $5,000;

$100 in admiralty appeals involving more than $5,000;

$5 on discontinuance of a civil action;
$5 on motion for judgment and other proceedings on recognizances;
$2.50 for each deposition admitted in evidence.

(b) The docket fees of United States attorneys shall be paid to the clerk of court and by him paid into the Treasury.

(c) In admiralty appeals the court may allow as costs for printing the briefs of the successful party not more than:
$25 where the amount involved is not over $1,000;
$50 where the amount involved is not over $5,000;
$75 where the amount involved is over $5,000.

§ 1924. Verification of bill of costs

Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.

§ 1925. Admiralty and maritime cases

Except as otherwise provided by Act of Congress, the allowance and taxation of costs in admiralty and maritime cases shall be prescribed by rules promulgated by the Supreme Court.

§ 1926. Court of Customs and Patent Appeals

Fees and costs in the Court of Customs and Patent Appeals shall be fixed by a table of fees adopted by such court and approved by the Supreme Court. The fees and costs so fixed shall not, with respect to any item, exceed the fees and costs charged in the Supreme Court, and shall be accounted for and paid over to the Treasury.

§ 1927. Counsel's liability for excessive costs

Any attorney or other person admitted to conduct cases in any court of the United States or any Territory thereof who so multiplies the proceedings in any case as to increase costs unreasonably and vexatiously may be required by the court to satisfy personally such excess costs.

§ 1928. Patent infringement action; disclaimer not filed

Whenever a judgment is rendered for the plaintiff in any patent infringement action involving a part of a patent and it appears that the patentee, in his specifications, claimed to be, but was not, the original and first inventor or discoverer of any material or substantial part of the thing patented, no costs shall be included in such judgment, unless the proper disclaimer has been filed in the Patent Office prior to the commencement of the action.

§ 1929. Extraordinary expenses not expressly authorized

Where the ministerial officers of the United States incur extraordinary expense in executing Acts of Congress, the payment of which is not specifically provided for, the Attorney General may allow the payment thereof.

CHAPTER 125—JUDGMENTS

Sec.
1961. Interest.
1962. Lien.
1963. Registration in other districts.

§ 1961. Interest

Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the

marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at the rate allowed by State law.

§ 1962. Lien

Every judgment rendered by a district court within a State shall be a lien on the property located in such State in the same manner, to the same extent and under the same conditions as a judgment of a court of general jurisdiction in such State, and shall cease to be a lien in the same manner and time. Whenever the law of any State requires a judgment of a State court to be registered, recorded, docketed or indexed, or any other act to be done, in a particular manner, or in a certain office or county or parish before such lien attaches, such requirements shall apply only if the law of such State authorizes the judgment of a court of the United States to be registered, recorded, docketed, indexed or otherwise conformed to rules and requirements relating to judgments of the courts of the State.

§ 1963. Registration in other districts

A judgment in an action for the recovery of money or property entered in any district court which has become final by appeal or expiration of time for appeal may be registered in any other district by filing therein a certified copy of such judgment. A judgment so registered shall have the same effect as a judgment of the district court of the district where registered and may be enforced in like manner.

A certified copy of the satisfaction of any judgment in whole or in part may be registered in like manner in any district in which the judgment is a lien.

CHAPTER 127—EXECUTIONS AND JUDICIAL SALES

Sec.

2001. Sale of realty generally.
2002. Notice of sale of realty.
2003. Marshal's incapacity after levy on or sale of realty.
2004. Sale of personalty generally.
2005. Appraisal of goods taken on execution.
2006. Execution against revenue officer.
2007. Imprisonment for debt.

§ 2001. Sale of realty generally

(a) Any realty or interest therein sold under any order or decree of any court of the United States shall be sold as a whole or in separate parcels at public sale at the courthouse of the county, parish, or city in which the greater part of the property is located, or upon the premises or some parcel thereof located therein, as the court directs. Such sale shall be upon such terms and conditions as the court directs.

Property in the possession of a receiver or receivers appointed by one or more district courts shall be sold at public sale in the district wherein any such receiver was first appointed, at the courthouse of the county, parish, or city situated therein in which the greater part of the property in such district is located, or on the premises or some parcel thereof located in such county, parish, or city, as such court directs, unless the court orders the sale of the property or one or more parcels thereof in one or more ancillay districts.

(b) After a hearing, of which notice to all interested parties shall be given by publication or otherwise as the court directs, the court may order the sale of such realty or interest or any part thereof at private sale for cash or other consideration and upon such terms and conditions as the court approves, if it finds that the best interests of

the estate will be conserved thereby. Before confirmation of any private sale, the court shall appoint three disinterested persons to appraise such property or different groups of three appraisers each to appraise properties of different classes or situated in different localities. No private sale shall be confirmed at a price less than two-thirds of the appraised value. Before confirmation of any private sale, the terms thereof shall be published in such newspaper or newspapers of general circulation as the court directs at least ten days before confirmation. The private sale shall not be confirmed if a bona fide offer is made, under conditions prescribed by the court, which guarantees at least a 10 per centum increase over the price offered in the private sale.

(c) This section shall not apply to sales and proceedings under Title 11 or by receivers or conservators of banks appointed by the Comptroller of the Currency.

§ 2002. Notice of sale of realty

A public sale of realty or interest therein under any order, judgment or decree of any court of the United States shall not be made without notice published once a week for at least four weeks prior to the sale in at least one newspaper regularly issued and of general circulation in the county, state, or judicial district of the United States wherein the realty is situated.

If such realty is situated in more than one county, state, district or circuit, such notice shall be published in one or more of the counties, states, or districts wherein it is situated, as the court directs. The notice shall be substantially in such form and contain such description of the property by reference or otherwise as the court approves. The court may direct that the publication be made in other newspapers.

This section shall not apply to sales and proceedings under Title II or by receivers or conservators of banks appointed by the Comptroller of the Currency.

§ 2003. Marshal's incapacity after levy on or sale of realty

Whenever a United States marshal dies, is removed from office, or the term of his commission expires, after levying on reality or any interest therein under a writ of execution issued by a court of the United States, and before sale or other final disposition thereof, like process shall issue to the succeeding marshal and the same proceedings shall be had as if such contingency had not occurred.

Whenever any such contingency arises after a marshal has sold any realty or interest therein and before a deed is executed, the court may, on application by the purchaser, or the plaintiff in whose action the sale was made, setting forth the facts of the case and the reason why the title was not perfected by such marshal, order the succeeding marshal to perfect the title and execute a deed to the purchaser, upon payment of the purchase money and unpaid costs.

§ 2004. Sale of personalty generally

Any personalty sold under any order or decree of any court of the United States shall be sold in accordance with section 2001 of this title, unless the court orders otherwise. *Ante*, p. 958.

This section shall not apply to sales and proceedings under Title 11 or by receivers or conservators of banks appointed by the Comptroller of the Currency.

§ 2005. Appraisal of goods taken on execution

Whenever State law requires that goods taken on execution be appraised before sale, goods taken under execution issued from a court of the United States shall be appraised in like manner.

The United States marshal shall summon the appraisers in the same manner as the sheriff is required to summon appraisers under State law.

If the appraisers fail to attend and perform their required duties, the marshal may sell the goods without an appraisal. Appraisers attending and performing their duties, shall receive the fees allowed for appraisals under State law.

§ 2006. Execution against revenue officer

Execution shall not issue against a collector or other revenue officer on a final judgment in any proceeding against him for any of his acts, or for the recovery of any money exacted by or paid to him and subsequently paid into the Treasury, in performing his official duties, if the court certifies that:

(1) probable cause existed; or

(2) the officer acted under the directions of the Secretary of the Treasury or other proper Government officer.

When such certificate has been issued, the amount of the judgment shall be paid out of the proper appropriation by the Treasury.

§ 2007. Imprisonment for debt

(a) A person shall not be imprisoned for debt on a writ of execution or other process issued from a court of the United States in any State wherein imprisonment for debt has been abolished. All modifications, conditions, and restrictions upon such imprisonment provided by State law shall apply to any writ of execution or process issued from a court of the United States in accordance with the procedure applicable in such State.

(b) Any person arrested or imprisoned in any State on a writ of execution or other process issued from any court of the United States in a civil action shall have the same jail privileges and be governed by the same regulations as persons confined in like cases on process issued from the courts of such State. The same requirements governing discharge as are applicable in such State shall apply. Any proceedings for discharge shall be conducted before a United States commissioner for the judicial district wherein the defendant is held.

CHAPTER 129—MONEYS PAID INTO COURT

Sec.

2041. Deposit.
2042. Withdrawal.

§ 2041. Deposit

All moneys paid into any court of the United States, or received by the officers thereof, in any case pending or adjudicated in such court, shall be forthwith deposited with the Treasurer of the United States or a designated depositary, in the name and to the credit of such court.

This section shall not prevent the delivery of any such money to the rightful owners upon security, according to agreement of parties, under the direction of the court.

§ 2042. Withdrawal

No money deposited shall be withdrawn except by order of court.

In every case in which the right to withdraw money deposited in court has been adjudicated or is not in dispute and such money has remained so deposited for at least five years unclaimed by the person entitled thereto, such court shall cause such money to be deposited in the Treasury in the name and to the credit of the United States. Any claimant entitled to any such money may, on petition to the court and upon notice to the United States attorney and full proof of the right thereto, obtain an order directing payment to him.

CHAPTER 131. RULES OF COURTS

Sec.
2071. Rule-making power generally.
2072. Rules of civil procedure for district courts.
2073. Admiralty rules for district courts.

§ 2071. Rule-making power generally

Each court established pursuant to Act of Congress may from time to time prescribe rules for the conduct of its business. Such rules shall be consistent with Acts of Congress and rules prescribed by the Supreme Court.

§ 2072. Rules of civil procedure for district courts

The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts of the United States in civil actions.

Such rules shall not abridge, enlarge or modify any substantive right and shall preserve the right of trial by jury as at common law and as declared by the Seventh Amendment to the Constitution.

Such rules shall not take effect until they have been reported to Congress by the Attorney General at the beginning of a regular session and until after the close of such session.

All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect. Nothing in this title anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

§ 2073. Admiralty rules for district courts

The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions and the practice and procedure in admiralty and maritime cases in the district courts of the United States and all courts exercising admiralty jurisdiction in the Territories and Possessions of the United States.

Such rules shall not abridge or modify any substantive right.

Such rules shall not take effect until they have been reported to Congress by the Attorney General at the beginning of a regular session and until after the close of such session.

All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect. Nothing in this title anything therein to the contrary nothwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

CHAPTER 133—REVIEW—MISCELLANEOUS PROVISIONS

Sec.
2101. Supreme Court; time for appeal or certiorari; docketing; stay.
2102. Priority of criminal case on appeal from state court.
2103. Appeal from state court improvidently taken regarded as writ of certiorari.
2104. Appeals from state courts.
2105. Scope of review; abatement.
2106. Determination.
2107. Time for appeal to court of appeals.
2108. Proof of amount in controversy.
2109. Quorum of Supreme Court justices absent.
2110. Time for appeal to court of claims in tort claims cases.

§ 2101. Supreme Court; time for appeal or certiorari; docketing; stay

(a) A direct appeal to the Supreme Court from any decision under sections 1252, 1253 and 2282 of this title, holding unconstitutional in

Ante, p. 928; *post*, p. 968.

whole or in part, any Act of Congress, shall be taken within thirty days after the entry of the interlocutory or final order, judgment or decree. The record shall be made up and the case docketed within sixty days from the time such appeal is taken under rules prescribed by the Supreme Court.

(b) Any other direct appeal to the Supreme Court which is authorized by law, from a decision of a district court in any civil action, suit or proceeding, shall be taken within thirty days from the judgment, order or decree, appealed from, if interlocutory, and within sixty days if final.

(c) Any other appeal or any writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree unless, upon application for writ of certiorari, for good cause, the Supreme Court or a justice thereof allows an additional time not exceeding sixty days.

(d) An application to the Supreme Court for a writ of certiorari to review a case before judgment has been rendered in the court of appeals may be made at any time before judgment.

(e) In any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and enforcement of such judgment or decree may be stayed for a reasonable time to enable the party aggrieved to obtain a writ of certiorari from the Supreme Court. The stay may be granted by a judge of the court rendering the judgment or decree or by a justice of the Supreme Court, and may be conditioned on the giving of security, approved by such judge or justice, that if the aggrieved party fails to make application for such writ within the period allotted therefor, or fails to obtain an order granting his application, or fails to make his plea good in the Supreme Court, he shall answer for all damages and costs which the other party may sustain by reason of the stay.

§ 2102. Priority of criminal case on appeal from State court

Criminal cases on review from State courts shall have priority, on the docket of the Supreme Court, over all cases except cases to which the United States is a party and such other cases as the court may decide to be of public importance.

§ 2103. Appeal from State court improvidently taken regarded as writ of certiorari

If an appeal to the Supreme Court is improvidently taken from the decision of the highest court of a State in a case where the proper mode of a review is by petition for certiorari, this alone shall not be ground for dismissal; but the papers whereon the appeal was taken shall be regarded and acted on as a petition for writ of certiorari and as if duly presented to the Supreme Court at the time the appeal was taken. Where in such a case there appears to be no reasonable ground for granting a petition for writ of certiorari it shall be competent for the Supreme Court to adjudge to the respondent reasonable damages for his delay, and single or double costs.

§ 2104. Appeals from State courts

An appeal to the Supreme Court from a State court shall be taken in the same manner and under the same regulations, and shall have the same effect, as if the judgment or decree appealed from had been rendered in a court of the United States.

§ 2105. Scope of review; abatement

There shall be no reversal in the Supreme Court or a court of appeals for error in ruling upon matters in abatement which do not involve jurisdiction.

§ 2106. Determination

The Supreme Court or any other court of appellate jurisdiction may affirm, modify, vacate, set aside or reverse any judgment, decree, or order of a court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree, or order, or require such further proceedings to be had as may be just under the circumstances.

§ 2107. Time for appeal to court of appeals

Except as otherwise provided in this section, no appeal shall bring any judgment, order or decree in an action, suit or proceeding of a civil nature before a court of appeals for review unless notice of appeal is filed, within thirty days after the entry of such judgment, order or decree.

In any such action, suit or proceeding in which the United States or an officer or agency thereof is a party, the time as to all parties shall be sixty days from such entry.

In any action, suit or proceeding in admiralty, the notice of appeal may be filed within ninety days after the entry of the order, judgment or decree appealed from.

Extension of time.

The district court, in any such action, suit or proceeding, may extend the time for appeal not exceeding thirty days from the expiration of the original time herein prescribed, upon a showing of excusible neglect based on failure of a party to learn of the entry of the judgment, order or decree.

This section shall not apply to bankruptcy matters or other proceedings under Title 11.

§ 2108. Proof of amount in controversy

Where the power of any court of appeals to review a case depends upon the amount or value in controversy, such amount or value, if not otherwise satisfactorily disclosed upon the record, may be shown and ascertained by the oath of a party to the case or by other competent evidence.

§ 2109. Quorum of Supreme Court justices absent

If a case brought to the Supreme Court by direct appeal from a district court cannot be heard and determined because of the absence of a quorum of qualified justices, the Chief Justice of the United States may order it remitted to the court of appeals for the circuit including the district in which the case arose, to be heard and determined by that court either sitting in banc or specially constituted and composed of the three circuit judges senior in commission who are able to sit, as such order may direct. The decision of such court shall be final and conclusive. In the event of the disqualification or disability of one or more of such circuit judges, such court shall be filled as provided in chapter 15 of this title.

Ante, p. 902.

In any other case brought to the Supreme Court for review, which cannot be heard and determined because of the absence of a quorum of qualified justices, if a majority of the qualified justices shall be of opinion that the case cannot be heard and determined at the next ensuing term, the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court.

§ 2110. Time for appeal to Court of Claims in tort claims cases

Ante, p. 942.

Appeals to the Court of Claims in tort claims cases, as provided in section 1504 of this title, shall be taken within three months after the entry of the final judgment of the district court.

PART VI—PARTICULAR PROCEEDINGS

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CHAPTER 151—DECLARATORY JUDGMENTS

Sec.
2201. Creation of remedy.
2202. Further relief.

§ 2201. Creation of remedy

In a case of actual controversy within its jurisdiction, except with respect to Federal taxes, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment ar decree and shall be reviewable as such.

§ 2202. Further relief

Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.

CHAPTER 153—HABEAS CORPUS

Sec.
2241. Power to grant writ.
2242. Application.
2243. Issuance of writ; return; hearing; decision.
2244. Finality of determination.
2245. Certificate of trial judge admissible in evidence.
2246. Evidence; depositions; affidavits.
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2248. Return or answer; conclusiveness.
2249. Certified copies of indictment, plea and judgment; duty of respondent.
2250. Indigent petitioner entitled to documents without cost.
2251. Stay of State court proceedings.
2252. Notice.
2253. Appeal.
2254. State custody; remedies in State Courts.
2255. Federal custody; remedies on motion attacking sentence.

§ 2241. Power to grant writ

(a) Writs of habeas corpus may be granted by the Supreme Court, any justice thereof, the district courts and any circuit judge within their respective jurisdictions. The order of a circuit judge shall be entered in the records of the district court of the district wherein the restraint complained of is had.

(b) The Supreme Court any justice thereof and any circuit judge may decline to entertain an application for a writ of habeas corpus

and may transfer the application for hearing and determination to the district court having jurisdiction to entertain it.

(c) The writ of habeas corpus shall not extend to a prisoner unless—

(1) He is in custody under or by color of the authority of the United States or is committed for trial before some court thereof; or

(2) He is in custody for an act done or omitted in pursuance of an Act of Congress, or an order, process, judgment or decree of a court or judge of the United States; or

(3) He is in custody in violation of the Constitution or laws or treaties of the United States; or

(4) He, being a citizen of a foreign state and domiciled therein is in custody for an act done or omitted under any alleged right, title, authority, privilege, protection, or exemption claimed under the commission, order or sanction of any foreign state, or under color thereof, the validity and effect of which depend upon the law of nations; or

(5) It is necessary to bring him into court to testify or for trial.

§ 2242. Application

Application for a writ of habeas corpus shall be in writing signed and verified by the person for whose relief it is intended or by someone acting in his behalf.

It shall allege the facts concerning the applicant's commitment or detention, the name of the person who has custody over him and by virtue of what claim or authority, if known.

It may be amended or supplemented as provided in the rules of procedure applicable to civil actions.

If addressed to the Supreme Court, a justice thereof or a circuit judge it shall state the reasons for not making application to the district court of the district in which the applicant is held.

§ 2243. Issuance of writ; return; hearing; decision

A court, justice or judge entertaining an application for a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.

The writ, or order to show cause shall be directed to the person having custody of the person detained. It shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.

The person to whom the writ or order is directed shall make a return certifying the true cause of the detention.

When the writ or order is returned a day shall be set for hearing, not more than five days after the return unless for good cause additional time is allowed.

Unless the application for the writ and the return present only issues of law the person to whom the writ is directed shall be required to produce at the hearing the body of the person detained.

The applicant or the person detained may, under oath, deny any of the facts set forth in the return or allege any other material facts.

The return and all suggestions made against it may be amended, by leave of court, before or after being filed.

The court shall summarily hear and determine the facts, and dispose of the matter as law and justice require.

§ 2244. Finality of determination

No circuit or district judge shall be required to entertain an application for a writ of habeas corpus to inquire into the detention of a

person pursuant to a judgment of a court of the United States, or of any State, if it appears that the legality of such detention has been determined by a judge or court of the United States on a prior application for a writ of habeas corpus and the petition presents no new ground not theretofore presented and determined, and the judge or court is satisfied that the ends of justice will not be served by such inquiry.

§ 2245. Certificate of trial judge admissible in evidence

On the hearing of an application for a writ of habeas corpus to inquire into the legality of the detention of a person pursuant to a judgment the certificate of the judge who presided at the trial resulting in the judgment, setting forth the facts occurring at the trial, shall be admissible in evidence. Copies of the certificate shall be filed with the court in which the application is pending and in the court in which the trial took place.

§ 2246. Evidence; depositions; affidavits

On application for a writ of habeas corpus, evidence may be taken orally or by deposition, or, in the discretion of the judge, by affidavit. If affidavits are admitted any party shall have the right to propound written interrogatories to the affiants, or to file answering affidavits.

§ 2247. Documentary evidence

On application for a writ of habeas corpus documentary evidence, transcripts of proceedings upon arraignment, plea and sentence and a transcript of the oral testimony introduced on any previous similar application by or in behalf of the same petitioner, shall be admissible in evidence.

§ 2248. Return or answer; conclusiveness

The allegations of a return to the writ of habeas corpus or of an answer to an order to show cause in a habeas corpus proceeding, if not traversed, shall be accepted as true except to the extent that the judge finds from the evidence that they are not true.

§ 2249. Certified copies of indictment, plea and judgment; duty of respondent

On application for a writ of habeas corpus to inquire into the detention of any person pursuant to a judgment of a court of the United States, the respondent shall promptly file with the court certified copies of the indictment, plea of petitioner and the judgment, or such of them as may be material to the questions raised, if the petitioner fails to attach them to his petition, and same shall be attached to the return to the writ, or to the answer to the order to show cause.

§ 2250. Indigent petitioner entitled to documents without cost

If on any application for a writ of habeas corpus an order has been made permitting the petitioner to prosecute the application in forma pauperis, the clerk of any court of the United States shall furnish to to the petitioner without cost certified copies of such documents or parts of the record on file in his office as may be required by order of the judge before whom the application is pending.

§ 2251. Stay of State court proceedings

A justice or judge of the United States before whom a habeas corpus proceeding is pending, may, before final judgment or after final judgment of discharge, or pending appeal, stay any proceeding against the person detained in any State court or by or under the authority of any State for any matter involved in the habeas corpus proceeding.

After the granting of such a stay, any such proceeding in any State court or by or under the authority of any State shall be void. If no stay

is granted, any such proceeding shall be as valid as if no habeas corpus proceedings or appeal were pending.

§ 2252. Notice

Prior to the hearing of a habeas corpus proceeding in behalf of a person in custody of State officers or by virtue of State laws notice shall be served on the attorney general or other appropriate officer of such State as the justice or judge at the time of issuing the writ shall direct.

§ 2253. Appeal

In a habeas corpus proceeding before a circuit or district judge, the final order shall be subject to review, on appeal, by the court of appeals for the circuit where the proceeding is had.

There shall be no right of appeal from such order in a proceeding to test the validity of a warrant of removal issued pursuant to section 3041 of Title 18 or the detention pending removal proceedings. *Ante*, p. 815.

An appeal may not be taken to the court of appeals from the final order in a habeas corpus proceeding where the detention complained of arises out of process issued by a State court, unless the justice or judge who rendered the order or a circuit justice or judge issues a certificate of probable cause.

§ 2254. State custody; remedies in State courts

An application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court shall not be granted unless it appears that the applicant has exhausted the remedies available in the courts of the State, or that there is either an absence of available State corrective process or the existence of circumstances rendering such process ineffective to protect the rights of the prisoner.

An applicant shall not be deemed to have exhausted the remedies available in the courts of the State, within the meaning of this section, if he has the right under the law of the State to raise, by any available procedure, the question presented.

§ 2255. Federal custody; remedies on motion attacking sentence

A prisoner in custody under sentence of a court of the United States claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence.

A motion for such relief may be made at any time.

Unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, the court shall cause notice thereof to be served upon the United States attorney, grant a prompt hearing thereon, determine the issues and make findings of fact and conclusions of law with respect thereto. If the court finds that the judgment was rendered without jurisdiction, or that the sentence imposed was not authorized by law or otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence him or grant a new trial or correct the sentence as may appear appropriate.

A court may entertain and determine such motion without requiring the production of the prisoner at the hearing.

The sentencing court shall not be required to entertain a second or successive motion for similar relief on behalf of the same prisoner.

An appeal may be taken to the court of appeals from the order

entered on the motion as from a final judgment on application for a writ of habeas corpus.

An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section, shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced him, or that such court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention.

CHAPTER 155—INJUNCTIONS; THREE-JUDGE COURTS

Sec.
2281. Injunction against enforcement of State statute; three-judge court required.
2282. Injunction against enforcement of Federal statute; three-judge court required.
2283. Stay of State court proceedings.
2284. Three-judge district court; composition; procedure.

§ 2281. Injunction against enforcement of State statute; three-judge court required

An interlocutory or permanent injunction restraining the enforcement, operation or execution of any State statute by restraining the action of any officer of such State in the enforcement or execution of such statute or of an order made by an administrative board or commission acting under State statutes, shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.

Infra.

§ 2282. Injunction against enforcement of Federal statute; three-judge court required

An interlocutory or permanent injunction restraining the enforcement, operation or execution of any Act of Congress for repugnance to the Constitution of the United States shall not be granted by any district court or judge thereof unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.

§ 2283. Stay of State court proceedings

A court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments.

§ 2284. Three-judge district court; composition; procedure

In any action or proceeding required by Act of Congress to be heard and determined by a district court of three judges the composition and procedure of the court, except as otherwise provided by law, shall be as follows:

(1) The district judge to whom the application for injunction or other relief is presented shall constitute one member of such court. On the filing of the application, he shall immediately notify the chief judge of the circuit, who shall designate two other judges, at least one of whom shall be a circuit judge. Such judges shall serve as members of the court to hear and determine the action or proceeding.

(2) If the action involves the enforcement, operation or execution of State statutes or State administrative orders, at least five days notice of the hearing shall be given to the governor and attorney general of the State.

If the action involves the enforcement, operation or execution of

an Act of Congress or an order of any department or agency of the United States, at least five days' notice of the hearing shall be given to the Attorney General of the United States, to the United States attorney for the district, and to such other persons as may be defendants.

Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof.

(3) In any such case in which an application for an interlocutory injunction is made, the district judge to whom the application is made may, at any time, grant a temporary restraining order to prevent irreparable damage. The order, unless previously revoked by the district judge, shall remain in force only until the hearing and determination by the full court. It shall contain a specific finding, based upon evidence submitted to such judge and identified by reference thereto, that specified irreparable damage will result if the order is not granted.

(4) In any such case the application shall be given precedence and assigned for a hearing at the earliest practicable day. Two judges must concur in granting the application.

(5) Any one of the three judges of the court may perform all functions, conduct all proceedings except the trial, and enter all orders required or permitted by the rules of civil procedure. A single judge shall not appoint a master or order a reference, or hear and determine any application for an interlocutory injunction or motion to vacate the same, or dismiss the action, or enter a summary or final judgment. The action of a single judge shall be reviewable by the full court at any time before final hearing.

A district court of three judges shall, before final hearing, stay any action pending therein to enjoin, suspend or restrain the enforcement or execution of a State statute or order thereunder, whenever it appears that a State court of competent jurisdiction has stayed proceedings under such statute or order pending the determination in such State court of an action to enforce the same. If the action in the State court is not prosecuted diligently and in good faith, the district court of three judges may vacate its stay after hearing upon ten days notice served upon the attorney general of the State.

CHAPTER 157—INTERSTATE COMMERCE COMMISSION ORDERS; ENFORCEMENT AND REVIEW

Sec.

2321. Procedure generally; process.
2322. United States as party.
2323. Duties of Attorney General; intervenors.
2324. Stay of Commission's order.
2325. Injunction; three-judge court required.

§ 2321. Procedure generally; process

The procedure in the district courts in actions to enforce, suspend, enjoin, annul or set aside in whole or in part any order of the Interstate Commerce Commission other than for the payment of money or the collection of fines, penalties and forfeitures, shall be as provided in this chapter.

The orders, writs, and process of the district courts may, in the cases specified in this section and in the cases and proceedings under sections 20, 43, and 49 of Title 49, run, be served, and be returnable anywhere in the United States. *Ante*, p. 295.

§ 2322. United States as party

All actions specified in section 2321 of this title shall be brought by or against the United States. *Supra.*

§ 2323. Duties of Attorney General; intervenors

Ante, pp. 969, 295.

The Attorney General shall represent the Government in the actions specified in section 2321 of this title and in actions under sections 20, 43, and 49 of Title 49, in the district courts, and in the Supreme Court of the United States upon appeal from the district courts.

The Interstate Commerce Commission and any party or parties in interest to the proceeding before the Commission, in which an order or requirement is made, may appear as parties of their own motion and as of right, and be represented by their counsel, in any action involving the validity of such order or requirement or any part thereof, and the interest of such party.

Communities, associations, corporations, firms, and individuals interested in the controversy or question before the Commission, or in any action commenced under the aforesaid sections may intervene in said action at any time after commencement thereof.

The Attorney General shall not dispose of or discontinue said action or proceeding over the objection of such party or intervenor, who may prosecute, defend, or continue said action or proceeding unaffected by the action or nonaction of the Attorney General therein.

§ 2324. Stay of Commission's order

The pendency of an action to enjoin, set aside, annul, or suspend any order of the Interstate Commerce Commission shall not of itself stay or suspend the operation of the order, but the court may restrain or suspend, in whole or in part, the operation of the order pending the final hearing and determination of the action.

§ 2325. Injunction; three-judge court required

Ante, p. 968.

An interlocutory or permanent injunction restraining the enforcement, operation or execution, in whole or in part, of any order of the Interstate Commerce Commission shall not be granted unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.

CHAPTER 159—INTERPLEADER

Sec.
2361. Process and procedure.

§ 2361. Process and procedure

In any interpleader action, a district court may issue its process for all claimants and enter its order restraining them from instituting any proceeding in any State or United States court affecting the property, instrument or obligation involved in the interpleader action until further order of the court. Such process and order shall be returnable at such time as the court or judge thereof directs, and shall be addressed to and served by the United States marshals for the respective districts where the claimants reside or may be found.

Such district court shall hear and determine the case, and may discharge the plaintiff from further liability, make the injunction permanent, and make all appropriate orders to enforce its judgment.

CHAPTER 161—UNITED STATES AS PARTY GENERALLY

Sec.
2401. Time for commencing action against United States.
2402. Jury trial denied in actions against United States.
2403. Intervention by United States; constitutional question.
2404. Death of defendant in damage action.
2405. Garnishment.
2406. Credits in actions by United States; prior disallowance.
2407. Delinquents for public money; judgment at return term; continuance.
2408. Security not required of United States.
2409. Partition actions involving United States.
2410. Actions affecting property on which United States has lien.

Sec.
2411. Interest on judgments against United States.
2412. Costs.
2413. Executions in favor of United States.
2414. Payment of judgments against the United States.

§ 2401. Time for commencing action against United States

(a) Every civil action commenced against the United States shall be barred unless the complaint is filed within six years after the right of action first accrues. The action of any person under legal disability or beyond the seas at the time the claim accrues may be commenced within three years after the disability ceases.

(b) A tort claim against the United States shall be forever barred unless action is begun thereon within one year after such claim accrues, or unless, if it is a claim not exceeding $1,000, it is presented in writing to the appropriate Federal agency within one year after such claim accrues. If a claim not exceeding $1,000 has been presented in writing to the appropriate Federal agency within that period of time, suit thereon shall not be barred until the expiration of a period of six months after either the date of withdrawal of such claim from the agency or the date of mailing notice by the agency of final disposition of the claim.

§ 2402. Jury trial denied in actions against United States

Any action against the United States under section 1346 of this title shall be tried by the court without a jury. *Ante*, p. 933.

§ 2403. Intervention by United States; constitutional question

In any action, suit or proceeding in a court of the United States to which the United States or any agency, officer or employee thereof is not a party, wherein the constitutionality of any Act of Congress affecting the public interest is drawn in question, the court shall certify such fact to the Attorney General, and shall permit the United States to intervene for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality. The United States shall, subject to the applicable provisions of law, have all the rights of a party and be subject to all liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the question of constitutionality.

§ 2404. Death of defendant in damage action

A civil action for damages commenced by or on behalf of the United States or in which it is interested shall not abate on the death of a defendant but shall survive and be enforceable against his estate as well as against surviving defendants.

§ 2405. Garnishment

In any action or suit commenced by the United States against a corporation for the recovery of money upon a bill, note, or other security, the debtors of the corporation may be summoned as garnishees. Any person so summoned shall appear in open court and depose in writing to the amount of his indebtedness to the corporation at the time of the service of the summons and at the time of making the deposition, and judgment may be entered in favor of the United States for the sum admitted by the garnishee to be due the corporation as if it had been due the United States. A judgment shall not be entered against any garnishee until after judgment has been rendered against the corporation, nor until the sum in which the garnishee is indebted is actually due.

When any garnishee deposes in open court that he is not and was not at the time of the service of the summons indebted to the corporation, an issue may be tendered by the United States upon such

deposition. If, upon the trial of that issue, a verdict is rendered against the garnishee, judgment shall be entered in favor of the United States, pursuant to such verdict, with costs.

Any garnishee who fails to appear at the term to which he is summoned shall be subject to attachment for contempt.

§ 2406. Credits in actions by United States; prior disallowance

In an action by the United States against an individual, evidence supporting the defendant's claim for a credit shall not be admitted unless he first proves that such claim has been disallowed, in whole or in part, by the General Accounting Office, or that he has, at the time of the trial, obtained possession of vouchers not previously procurable and has been prevented from presenting such claim to the General Accounting Office by absence from the United States or unavoidable accident.

§ 2407. Delinquents for public money; judgment at return term; continuance

In an action by the United States against any person accountable for public money who fails to pay into the Treasury the sum reported due the United States, upon the adjustment of his account the court shall grant judgment upon motion unless a continuance is granted as specified in this section.

A continuance may be granted if the defendant, in open court and in the presence of the United States attorney, states under oath that he is equitably entitled to credits which have been disallowed by the General Accounting Office prior to the commencement of the action, specifying each particular claim so rejected, and stating that he cannot safely come to trial.

A continuance may also be granted if such an action is commenced on a bond or other sealed instrument and the court requires the original instrument to be produced.

§ 2408. Security not required of United States

Security for damages or costs shall not be required of the United States, any department or agency thereof or any party acting under the direction of any such department or agency on the issuance of process or the institution or prosecution of any proceeding.

Costs taxable, under other Acts of Congress, against the United States or any such department, agency or party shall be paid out of the contingent fund of the department or agency which directed the proceedings to be instituted.

§ 2409. Partition actions involving United States

Any civil action by any tenant in common or joint tenant owning an undivided interest in lands, where the United States is one of such tenants in common or joint tenants, against the United States alone or against the United States and any other of such owners, shall proceed, and be determined, in the same manner as would a similar action between private persons.

Whenever in such action the court orders a sale of the property or any part thereof the Attorney General may bid for the same in behalf of the United States. If the United States is the purchaser, the amount of the purchase money shall be paid from the Treasury upon a warrant drawn by the Secretary of the Treasury on the requisition of the Attorney General.

§ 2410. Actions affecting property on which United States has lien

Ante, p. 938.

(a) Under the conditions prescribed in this section and section 1444 of this title for the protection of the United States, the United States may be named a party in any civil action or suit in any district court,

including the District Court for the Territory of Alaska, or in any State court having jurisdiction of the subject matter, to quiet title to or for the foreclosure of a mortgage or other lien upon real or personal property on which the United States has or claims a mortgage or other lien.

(b) The complaint shall set forth with particularity the nature of the interest or lien of the United States. The United States may appear and answer, plead or demur within sixty days after service, or such further time as the court may allow.

(c) A judicial sale in such action or suit shall have the same effect respecting the discharge of the property from liens and encumbrances held by the United States as may be provided with respect to such matters by the local law of the place where the property is situated. A sale to satisfy a lien inferior to one of the United States, shall be made subject to and without disturbing the lien of the United States, unless the United States consents that the property may be sold free of its lien and the proceeds divided as the parties may be entitled. Where a sale of real estate is made to satisfy a lien prior to that of the United States, the United States shall have one year from the date of sale within which to redeem. In any case where the debt owing the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien and where property is sold to satisfy a first lien held by the United States, the United States may bid at the sale such sum, not exceeding the amount of its claim with expenses of sale, as may be directed by the head of the department or agency of the United States which has charge of the administration of the laws in respect of which the claim of the United States arises.

(d) Whenever any person has a lien upon any real or personal property, duly recorded in the jurisdiction in which the property is located, and a junior lien, other than a tax lien, in favor of the United States attaches to such property, such person may make a written request to the officer charged with the administration of the laws in respect of which the lien of the United States arises, to have the same extinguished. If after appropriate investigation, it appears to such officer that the proceeds from the sale of the property would be insufficient to wholly or partly satisfy the lien of the United States, or that the claim of the United States has been satisfied or by lapse of time or otherwise has become unenforceable, such officer shall so report to the Comptroller General who may issue a certificate releasing the property from such lien.

§ 2411. Interest on judgments against United States

On all final judgments rendered against the United States in actions instituted under section 1346 of this title, interest shall be computed at the rate of 4 per centum per annum from the date of the judgment up to, but not exceeding, thirty days after the date of approval of any appropriation Act providing for payment of the judgment.

Ante, p. 933.

§ 2412. Costs

(a) The United States shall be liable for fees and costs only when such liability is expressly provided for by Act of Congress.

(b) In an action under subsection (a) of section 1346 or section 1491 of this title, if the United States puts in issue plaintiff's right to recover, the district court or Court of Claims may allow costs to the prevailing party from the time of joining such issue. Such costs shall include only those actually incurred for witnesses and fees paid to the clerk.

Ante, pp. 933, 940.

(c) In an action under subsection (b) of section 1346 of this title, costs shall be allowed in all courts to the successful claimant, but such costs shall not include attorneys' fees.

Ante, p. 933.

§ 2413. Executions in favor of United States

A writ of execution on a judgment obtained for the use of the United States in any court thereof shall be issued from and made returnable to the court which rendered the judgment, but may be executed in any other State, in any Territory, or in the District of Columbia.

§ 2414. Payment of judgments against the United States

Payment of final judgments rendered by a district court against the United States shall be made on settlements by the General Accounting Office.

Whenever the Attorney General determines that no appeal shall be taken from a judgment against the United States or that no further review will be sought from a decision affirming the same, he shall so certify and the judgment shall be deemed final.

CHAPTER 163—FINES, PENALTIES AND FORFEITURES

Sec.

2461. Mode of recovery.
2462. Time for commencing proceedings.
2463. Property taken under revenue law not repleviable.
2464. Security; special bond.
2465. Return of property to claimant; certificate of reasonable cause; liability for wrongful seizure.

§ 2461. Mode of recovery

(a) Whenever a civil fine, penalty or pecuniary forfeiture is prescribed for the violation of an Act of Congress without specifying the mode of recovery or enforcement thereof, it may be recovered in a civil action.

(b) Unless otherwise provided by Act of Congress, whenever a forfeiture of property is prescribed as a penalty for violation of an Act of Congress and the seizure takes place on the high seas or on navigable waters within the admiralty and maritime jurisdiction of the United States, such forfeiture may be enforced by libel in admiralty but in cases of seizures on land the forfeiture may be enforced by a proceeding by libel which shall conform as near as may be to proceedings in admiralty.

§ 2462. Time for commencing proceedings

Except as otherwise provided by Act of Congress, an action, suit or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, shall not be entertained unless commenced within five years from the date when the claim first accrued if, within the same period, the offender or the property is found within the United States in order that proper service may be made thereon.

§ 2463. Property taken under revenue law not repleviable

All property taken or detained under any revenue law of the United States shall not be repleviable, but shall be deemed to be in the custody of the law and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof.

§ 2464. Security; special bond

(a) Except in cases of seizures for forfeiture under any law of the United States, whenever a warrant of arrest or other process in rem is issued in any admiralty case, the United States marshal shall stay the execution of such process, or discharge the property arrested if the process has been levied, on receiving from the respondent or claimant of the property a bond or stipulation in double the amount claimed by the libellant, with sufficient surety, to be approved by the judge of the district court where the case is pending, or, in his absence,

by the collector of the port, conditioned to answer the decree of the court in such case. Such bond or stipulation shall be returned to the court, and judgment or decree thereon, against both the principal and sureties, may be secured at the time of rendering the decree in the original case. The owner of any vessel may deliver to the marshal a bond or stipulation, with sufficient surety, to be approved by the judge of the district court, conditioned to answer the decree of such court in all or any cases that are brought thereafter in such court against the vessel. Thereupon the execution of all such process against such vessel shall be stayed so long as the amount secured by such bond or stipulation is at least double the aggregate amount claimed by libellants in such suits which are begun and pending against such vessel. Similar judgments or decrees and remedies may be had on such bond or stipulation as if a special bond or stipulation had been filed in each of such suits.

(b) The court may make necessary orders to carry this section into effect, particularly in giving proper notice of any such suit. Such bond or stipulation shall be indorsed by the clerk with a minute of the suits wherein process is so stayed. Further security may be required by the court at any time.

(c) If a special bond or stipulation in the particular case is given under this section, the liability as to said case on the general bond or stipulation shall cease. The parties may stipulate the amount of the bond or stipulation for the release of a vessel or other property to be not more than the amount claimed in the libel, with interest, plus an allowance for libellant's costs. In the event of the inability or refusal of the parties to so stipulate, the court shall fix the amount, but if not so fixed then a bond shall be required in the amount prescribed in this section.

§ 2465. Return of property to claimant; certificate of reasonable cause; liability for wrongful seizure

Upon the entry of judgment for the claimant in any proceeding to condemn or forfeit property seized under any Act of Congress, such property shall be returned forthwith to the claimant or his agent; but if it appears that there was reasonable cause for the seizure, the court shall cause a proper certificate thereof to be entered and the claimant shall not, in such case, be entitled to costs, nor shall the person who made the seizure, nor the prosecutor, be liable to suit or judgment on account of such suit or prosecution.

CHAPTER 165—COURT OF CLAIMS PROCEDURE

Sec.

2501. Time for filing suit.
2502. Aliens' privilege to sue.
2503. Proceedings before commissioners generally.
2504. Plaintiff's testimony.
2505. Place of taking evidence.
2506. Interest of witness.
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2516. Interest on claims and judgments.
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2518. Certification of judgments for appropriation.
2519. Conclusiveness of judgment.
2520. Fees; cost of printing record.

§ 2501. Time for filing suit

Every claim of which the Court of Claims has jurisdiction shall be barred unless the petition thereon is filed, or the claim is referred by the Senate or House of Representatives, or by the head of an executive department within six years after such claim first accrues.

Ante, p. 941.

Every claim under section 1497 of this title shall be barred unless the petition thereon is filed within two years after the termination of the river and harbor improvements operations on which the claim is based.

A petition on the claim of a person under legal disability or beyond the seas at the time the claim accrues may be filed within three years after the disability ceases.

A suit for the fees of an officer of the United States shall not be filed until his account for such fees has been finally acted upon, unless the General Accounting Office fails to act within six months after receiving the account.

§ 2502. Aliens' privilege to sue

Citizens or subjects of any foreign government which accords to citizens of the United States the right to prosecute claims against their government in its courts may sue the United States in the Court of Claims if the subject matter of the suit is otherwise within such court's jurisdiction.

§ 2503. Proceedings before commissioners generally

Parties to any suit in the Court of Claims may appear before a commissioner in person or by attorney, produce evidence and examine witnesses. Commissioners, including reporter-commissioners taking testimony, may administer oaths or affirmations to witnesses. Subpoenas requiring the attendance of witnesses before commissioners may be issued by the court and compliance therewith shall be compelled under appropriate rules and orders of the court. Subpoenas for witnesses or for the production of testimony may issue out of the court by the clerk and shall be served by the United States marshal to whom they are directed.

The rules of the court shall provide for a finding and report of facts by a commissioner, and when directed by the court his recommendations for conclusions of law, to be filed in court with the testimony upon which the same is based, and for opportunity to file exceptions thereto, and a hearing thereon within such reasonable time as the court's rules or order may prescribe. This section shall not prevent the court from passing upon all questions and findings regardless of whether exceptions were taken before a commissioner.

§ 2504. Plaintiff's testimony

The Court of Claims may, at the instance of the Attorney General, order any plaintiff to appear, upon reasonable notice, before any commissioner of the court and be examined on oath as to all matters pertaining to his claim. Such examination shall be reduced to writing by the commissioner, and shall be returned to and filed in the court, and may, at the discretion of the attorneys for the United States, be read and used as evidence on the trial. If any plaintiff, after such order is made and due and reasonable notice thereof is given to him, fails to appear, or refuses to testify or answer fully as to all material matters within his knowledge, the court may order that the case shall not be tried until he fully complies with such order.

§ 2505. Place of taking evidence

Any judge of the Court of Claims may sit at any place within the United States to take evidence and report findings.

If convenient, testimony shall be taken in the county where the witness resides.

§ 2506. Interest of witness

A witness in a suit in the Court of Claims shall not be exempt or disqualified because he is a party to or interested in such suit.

§ 2507. Calls on departments for information

The Court of Claims may call upon any department or agency of the United States for any information or papers it deems necessary, and may use all recorded and printed reports made by the committees of the Senate or House of Representatives.

The head of any department or agency may refuse to comply when, in his opinion, compliance will be injurious to the public interest.

§ 2508. Counterclaim or set-off; registration of judgment

Upon the trial of any suit in the Court of Claims in which any set-off, counterclaim, claim for damages, or other demand is set up on the part of the United States against any plaintiff making claim against the United States in said court, the court shall hear and determine such claim or demand both for and against the United States and plaintiff.

If upon the whole case it finds that the plaintiff is indebted to the United States it shall render judgment to that effect, and such judgment shall be final and reviewable.

The transcript of such judgment, filed in the clerk's office of any district court, shall be entered upon the records, and be a judgment of such district court and enforceable as such.

§ 2509. Congressional reference cases

Whenever any bill, except for a pension, is referred to the Court of Claims by either House of Congress, such court shall proceed with the same in accordance with its rules and report to such House, the facts in the case, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy.

The court shall also report conclusions sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

§ 2510. Departmental reference cases

A claim or matter referred to the Court of Claims by the head of an executive department shall be proceeded with as are other cases pending in such court, under its rules.

The court shall report its findings of fact and conclusions of law to the head of the department who referred the claim or matter.

The Secretary of the Treasury may, upon the certificate of the Comptroller General of the United States, direct any claim or matter, of which, by reason of the subject matter or character, the Court of Claims might take jurisdiction on the voluntary action of the claimant, to be transmitted, with all the vouchers, papers, documents, and proofs pertaining thereto, to such court for trial and adjudication.

§ 2511. Accounts of officers, agents or contractors

Notice of suit under section 1494 of this title shall be given to the Attorney General and to the head of the department requested to settle the account in question. *Ante*, p. 941.

The judgment of the Court of Claims in such suit, or of the Supreme Court upon review, shall be conclusive upon the parties, and payment of the amount found due shall discharge the obligation.

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A right of action shall accrue to the United States upon the judgment, but such right and any right of action on the original indebtedness shall be barred unless an action thereon is brought within three years after judgment.

§ 2512. Disbursing officers; relief

Whenever the Court of Claims finds that any loss by a disbursing officer of the United States was without his fault or negligence, it shall render a judgment setting forth the amount thereof, and the General Accounting Office shall allow the officer such amount as a credit in the settlement of his accounts.

§ 2513. Unjust conviction and imprisonment

Ante, p. 941.

(a) Any person suing under section 1495 of this title must allege and prove that:

(1) His conviction has been reversed or set aside on the ground that he is not guilty of the offense of which he was convicted, or on new trial or rehearing he was found not guilty of such offense, as appears from the record or certificate of the court setting aside or reversing such conviction, or that he has been pardoned upon the stated ground of innocence and unjust conviction and

(2) He did not commit any of the acts charged or his acts, deeds, or omissions in connection with such charge constituted no offense against the United States, or any State, Territory or the District of Columbia, and he did not by misconduct or neglect cause or bring about his own prosecution.

(b) Proof of the requisite facts shall be by a certificate of the court or pardon wherein such facts are alleged to appear, and other evidence thereof shall not be received.

(c) No pardon or certified copy of a pardon shall be filed with the Court of Claims unless it contains recitals that the pardon was granted after applicant had exhausted all recourse to the courts and that the time for any court to exercise its jurisdiction had expired.

(d) The Court may permit the plaintiff to prosecute such action in forma pauperis.

(e) The amount of damages awarded shall not exceed the sum of $5,000.

§ 2514. Forfeiture of fraudulent claims

A claim against the United States shall be forfeited to the United States by any person who corruptly practices or attempts to practice any fraud against the United States in the proof, statement, establishment, or allowance thereof.

In such cases the Court of Claims shall specifically find such fraud or attempt and render judgment of forfeiture.

§ 2515. New trial; stay of judgment

(a) The Court of Claims may grant a plaintiff a new trial on any ground established by rules of common law or equity applicable as between private parties.

(b) Such court, at any time while any suit is pending before it, or after proceedings for review have been instituted, or within two years after the final disposition of the suit, may grant the United States a new trial and stay the payment of any judgment upon satisfactory evidence, cumulative or otherwise, that any fraud, wrong, or injustice has been done the United States.

§ 2516. Interest on claims and judgments

(a) Interest on a claim against the United States shall be allowed in a judgment of the Court of Claims only under a contract or Act of Congress expressly providing for payment thereof.

(b) Interest on judgments against the United States affirmed by the Supreme Court after review on petition of the United States shall be paid at the rate of four per cent per annum from the date of the filing of the transcript of the judgment in the Treasury Department to the date of the mandate of affirmance. Such interest shall not be allowed after the term of the Supreme Court at which the judgment was affirmed.

§ 2517. Payment of judgments

(a) Every final judgment rendered by the Court of Claims against the United States shall be paid out of any general appropriation therefor, on presentation to the General Accounting Office of a certification of the judgment by the clerk and chief judge of the court.

(b) Payment of any such judgment and of interest thereon shall be a full discharge to the United States of all claims and demands arising out of the matters involved in the case or controversy.

§ 2518. Certification of judgments for appropriation

The Secretary of the Treasury shall certify to Congress for appropriation only such judgments of the Court of Claims as are not to be reviewed or are entered upon mandate of the Supreme Court.

§ 2519. Conclusiveness of judgment

A final judgment of the Court of Claims against any plaintiff shall forever bar any further claim, suit, or demand against the United States arising out of the matters involved in the case or controversy.

§ 2520. Fees; cost of printing record

(a) The Court of Claims shall by rules impose a fee not exceeding $10, for the filing of any petition and the hearing of any case before the court, a judge, or a commissioner.

(b) The clerk shall collect a fee of 10 cents a folio for preparing and certifying a transcript of the record for the purpose of a writ of certiorari sought by the plaintiff, and for furnishing certified copies of judgments or other documents. Not less than $5 shall be charged for each certified copy of findings of fact and opinion of the court to be filed in the Supreme Court.

(c) The clerk shall also collect for each certified copy of the court's findings of fact and opinion a fee of 25 cents for five pages or less, 35 cents for those over five and not more than ten pages, 45 cents for those over ten and not more than twenty pages, and 50 cents for those of more than twenty pages.

(d) The cost of printing the record in every pending case in the court shall be taxed against the losing party, collected by the clerk of the court, except when the judgment is against the United States, and paid into the Treasury.

CHAPTER 167—COURT OF CUSTOMS AND PATENT APPEALS PROCEDURE

Sec.

2601. Customs Court decisions.
2602. Precedence of classification cases.

§ 2601. Customs Court decisions

Any party to a proceeding before the Customs Court who is dissatisfied with the decision of such court as to the construction of the law and the facts respecting the classification of imported merchandise and the rate of duty imposed thereon under such classification, or with any other appealable decision of such court, may, not later than sixty days after the entry of the decision, apply to the Court of Customs and Patent Appeals for a review of all questions of law and fact.

In cases arising in the Territories and Possessions ninety days shall be allowed for making such application.

The application shall be made by filing in the office of the clerk of the Court of Customs and Patent Appeals a concise statement of errors of law and fact complained of; and a copy of such statement shall be served on the collector, or on the importer, owner, consignee, or agent, as the case may be. Thereupon the Court of Customs and Patent Appeals shall immediately order the Customs Court to transmit the record and evidence taken, together with a certified statement of the facts involved in the case and the decision thereon; and all the evidence taken by and before the Customs Court shall be competent evidence before the Court of Customs and Patent Appeals. The decision of the Court of Customs and Patent Appeals shall be final unless set aside or modified by the Supreme Court, and the case shall be remanded to the Customs Court for further proceedings to be taken in pursuance of such decision.

§ 2602. Precedence of classification cases

Every proceeding in the Court of Customs and Patent Appeals, relating to classification of merchandise or rate of duty assessed thereon, and arising under section 1516 (b) of Title 19, shall be given precedence over other cases on the docket of such court, and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

Post, p. 1002.

CHAPTER 169—CUSTOMS COURT PROCEDURE

Sec.

2631. Appeal for reappraisement; assignment to single judge; hearing.
2632. Notice.
2633. Evidence of value, upon reappraisement; burden of proof.
2634. Witnesses; inspection of documents.
2635. Decision of single judge in reappraisement appeal.
2636. Review of single judge's decision; disqualification of judges; remand; presumption.
2637. Review of decisions of divisions.
2638. Precedence of classification cases.
2639. Analysis of imported merchandise.
2640. Rehearing or retrial.
2641. Frivolous protest or appeal.
2642. Disqualification of judge.

§ 2631. Appeal for reappraisement; assignment to single judge; hearing

Every written appeal to the Customs Court for a reappraisement of merchandise shall be assigned to one of the judges of such court who shall after affording the parties an opportunity to be heard on the merits, determine the value of such merchandise.

His determination shall be made from the evidence in the record and that adduced at the hearing, notwithstanding that the merchandise and samples thereof are not available for examination and without regard to any invalidity of the original appraisement.

§ 2632. Notice

Reasonable notice of the time and place of hearing before a judge or division of the Customs Court shall be given to all parties to any proceeding, under rules prescribed by such court.

§ 2633. Evidence of value, upon reappraisement; burden of proof

In finding the value of merchandise, in reappraisement proceedings before a single judge of the Customs Court, affidavits and depositions of persons whose attendance cannot reasonably be had, price lists and

catalogues, reports or depositions of consuls, customs agents, collectors, appraisers, assistant appraisers, examiners, and other officers of the Government may be admitted in evidence. Copies of official documents, when certified by an official duly authorized by the Secretary of the Treasury, may be admitted in evidence with the same force and effect as original documents.

The value found by the appraiser shall be presumed to be the value of the merchandise. The burden shall rest upon the party who challenges its correctness to prove otherwise.

§ 2634. Witnesses; inspection of documents

(a) In any proceeding in the Customs Court, under rules prescribed by such court, the parties and their attorneys shall have an opportunity to introduce evidence, to hear and cross-examine the witnesses of the other party and to inspect all samples and all papers admitted or offered as evidence, except as provided in subsection (b) of this section.

(b) In reappraisement or classification proceedings instituted under section 1516 of Title 19, an American manufacturer, producer, or wholesaler shall not have the right to inspect any documents or papers of the consignee or importer disclosing any information which the Customs Court or any judge or division thereof deems unnecessary or improper to be disclosed to him.

Post, p. 1002.

§ 2635. Decision of single judge in reappraisement appeal

The judge assigned to hear an appeal for reappraisement of merchandise shall render his decision in writing, together with a statement of the reasons therefor and of the facts on which his decision is based.

§ 2636. Review of single judge's decision; disqualification of judges; remand; presumption

(a) The decision of a single judge in a reappraisement proceeding shall be final and conclusive upon all parties unless within 30 days from the date it is filed with the collector of customs an application for its review is filed with or mailed to the Customs Court by the collector or other person authorized by the Secretary of the Treasury, and a copy of such application mailed to the consignee, or his agent or attorney, or filed by the consignee, or his agent or attorney, with the collector, by whom the same shall be forwarded forthwith to such court.

(b) The chief judge of the Customs Court shall assign every application for review of the decision of a single judge of such court in a reappraisement proceeding to a division of three judges who shall consider the case upon the samples of the merchandise, if any, and the record made before the single judge. The division shall, after hearing argument on the part of any of the interested parties requesting to be heard, affirm, reverse, or modify the decision of the single judge or remand the case to such judge for further proceedings, and shall render its decision in writing, together with a statement of the reasons therefor and of the facts on which the decision is based, and shall forward it to the collector of customs.

(c) A judge of the Customs Court shall not sit to hear or decide any case on review in which he has previously participated.

(d) If upon the hearing of a protest, the court declares an appraisement of merchandise made after the effective date of the Customs Administrative Act of 1938 to have been invalid or void, it shall remand the matter to a single judge who shall determine the proper dutiable value of such merchandise in the manner provided by this chapter. In such proceeding no presumption of correctness shall attach to the invoice or entered values.

52 Stat. 1077.
19 U. S. C. § 1001 *et seq.*; Supp. I, § 1001 *et seq.*

§ 2637. Review of decisions of divisions

The decision of a division of the Customs Court, in any matter within its jurisdiction shall be the decision of such court, and shall be final and conclusive upon all parties, unless a party to such proceeding takes an appeal to the Court of Customs and Patent Appeals within the time and manner provided in section 2601 of this title, but if the decision relates to a reappraisement of merchandise, such appeal to the Court of Customs and Patent Appeals shall be upon questions of law only.

Ante, p. 979.

§ 2638. Precedence of classification cases

Every proceeding in the Customs Court, relating to classification of merchandise or rate of duty assessed thereon, and arising under section 1516 (b) of Title 19, shall be given precedence over other cases on the docket of such court, and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

Post, p. 1002.

§ 2639. Analysis of imported merchandise

A division or a single judge may order an analysis of imported merchandise and reports thereon by laboratories or bureaus of the United States.

§ 2640. Rehearing or retrial

A division which has decided a case or a single judge who has decided an appeal for a reappraisement may, upon motion of either party made within thirty days next after such decision, grant a rehearing or retrial.

§ 2641. Frivolous protest or appeal

The Customs Court shall, upon motion of counsel for the Government and may, upon its own motion, decide whether any appeal for reappraisement or protest filed under this chapter, under sections 1501, 1514, 1515 or 1516 of Title 19 or under section 1583 of this title is frivolous. If the court decides that such appeal or protest is frivolous, it shall assess a penalty of not less than $5 nor more than $250 against the person filing such appeal or protest.

Ante, p. 943; *post*, pp. 990, 1002.

All frivolous appeals for reappraisement or protests filed by the same person and raising the same issue shall be consolidated in one proceeding for the purpose of imposing such penalty.

CHAPTER 171—TORT CLAIMS PROCEDURE

Sec.

2671. Definitions.
2672. Administrative adjustment of claims of $1,000 or less.
2673. Reports to Congress.
2674. Liability of United States.
2675. Disposition by federal agency as prerequisite; evidence.
2676. Judgment as bar.
2677. Compromise.
2678. Attorney fees; penalty.
2679. Exclusiveness of remedy.
2680. Exceptions.

§ 2671. Definitions

Ante, pp. 933, 971.

As used in this chapter and sections 1346 (b) and 2401 (b) of this title, the term—

"Federal agency."

"Federal agency" includes the executive departments and independent establishment of the United States, and corporations primarily acting as, instrumentalities or agencies of the United States but does not include any contractor with the United States.

"Employee of the government."

"Employee of the government" includes officers or employees of any federal agency, members of the military or naval forces of the United States, and persons acting on behalf of a federal agency in an official capacity, temporarily or permanently in the

service of the United States, whether with or without compensation.

"Acting within the scope of his offict or employment", in the case of a member of the military or naval forces of the United States, means acting in line of duty.

§ 2672. Administrative adjustment of claims of $1,000 or less

The head of each federal agency, or his designee for the purpose, acting on behalf of the United States, may consider, ascertain, adjust, determine, and settle any claim for money damages of $1,000 or less against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

Finality of award.

Subject to the provisions of this title relating to civil actions on tort claims against the United States, any such award or determination shall be final and conclusive on all officers of the government, except when procured by means of fraud.

Any award made pursuant to this section, and any award, compromise, or settlement made by the Attorney General pursuant to section 2678 of this title, shall be paid by the head of the federal agency concerned out of such agency's appropriations therefor, which appropriations are hereby authorized.

Post, p. 984.

The acceptance by the claimant of any such award, compromise, or settlement shall be final and conclusive on the claimant, and shall constitute a complete release of any claim against the United States and against the employee of the government whose act or omission gave rise to the claim, by reason of the same subject matter.

§ 2673. Reports to Congress

The head of each federal agency shall report annually to Congress all claims paid by it under section 2672 of this title, stating the name of each claimant, the amount claimed, the amount awarded, and a brief description of the claim.

Supra.

§ 2674. Liability of United States

The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.

If, however, in any case wherein death was caused, the law of the place where the act or omission complained of occurred provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons respectively, for whose benefit the action was brought, in lieu thereof.

§ 2675. Disposition by federal agency as prerequisite; evidence

(a) An action shall not be instituted upon a claim against the United States which has been presented to a federal agency, for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of an employee of the government while acting within the scope of his authority, unless such federal agency has made final disposition of the claim.

(b) The claimant, however, may, upon fifteen days written notice, withdraw such claim from consideration of the federal agency and

commence action thereon. Action under this subsection shall not be instituted for any sum in excess of the amount of the claim presented to the federal agency, except where the increased amount is based upon newly discovered evidence not reasonably discoverable at the time of presenting the claim to the federal agency, or upon allegation and proof of intervening facts, relating to the amount of the claim.

(c) Disposition of any claim by the Attorney General or other head of a federal agency shall not be competent evidence of liability or amount of damages.

§ 2676. Judgment as bar

Ante, p. 933.

The judgment in an action under section 1346 (b) of this title shall constitute a complete bar to any action by the claimant, by reason of the same subject matter, against the employee of the government whose act or omission gave rise to the claim.

§ 2677. Compromise

The Attorney General, with the approval of the court, may arbitrate, compromise, or settle any claim cognizable under section 1346 (b) of this title, after the commencement of an action thereon.

§ 2678. Attorney fees; penalty

Ante, p. 933.
Ante, p. 933.
Supra.

The court rendering a judgment for the plaintiff pursuant to section 1346 (b) of this title, or the head of the federal agency or his designee making an award pursuant to section 2672 of this title, or the Attorney General making a disposition pursuant to section 2677 of this title, may, as a part of such judgment, award, or settlement, determine and allow reasonable attorney fees, which, if the recovery is $500 or more, shall not exceed 10 per centum of the amount recovered under section 2672 of this title, or 20 per centum of the amount recovered under section 1346 (b) of this title, to be paid out of but not in addition to the amount of judgment, award, or settlement recovered, to the attorneys representing the claimant.

Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

§ 2679. Exclusiveness of remedy

Ante, p. 933.

The authority of any federal agency to sue and be sued in its own name shall not be construed to authorize suits against such federal agency on claims which are cognizable under section 1346 (b) of this title, and the remedies provided by this title in such cases shall be exclusive.

§ 2680. Exceptions

Ante, p. 933.

The provisions of this chapter and section 1346 (b) of this title shall not apply to—

(a) Any claim based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a federal agency or an employee of the Government, whether or not the discretion involved be abused.

(b) Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter.

(c) Any claim arising in respect of the assessment or collection of any tax or customs duty, or the detention of any goods or merchandise by any officer of customs or excise or any other law-enforcement officer.

(d) Any claim for which a remedy is provided by sections 741–752, 781–790 of Title 46, relating to claims or suits in admiralty against the United States.

(e) Any claim arising out of an act or omission of any employee of the Government in administering the provisions of sections 1–31 of Title 50, Appendix. 50 U. S. C., Supp. I, app. § 4 *et seq.*

(f) Any claim for damages caused by the imposition or establishment of a quarantine by the United States.

(g) Any claim arising from injury to vessels, or to the cargo, crew, or passengers of vessels, while passing through the locks of the Panama Canal or while in Canal Zone waters.

(h) Any claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

(i) Any claim for damages caused by the fiscal operations of the Treasury or by the regulation of the monetary system.

(j) Any claim arising out of the combatant activities of the military or naval forces, or the Coast Guard, during time of war.

(k) Any claim arising in a foreign country.

(l) Any claim arising from the activities of the Tennessee Valley Authority.

Chief judges.

SEC. 2. (a) The Chief Justices of the United States Court of Appeals for the District of Columbia, the District Court of the United States for the District of Columbia and the Court of Claims, and the presiding judge of the Court of Customs and Patent Appeals, in office on the effective date of this Act, shall be the chief judges of their respective courts.

Ante, p. 869.

(b) The provisions of title 28, Judiciary and Judicial Procedure, of the United States Code, set out in section 1 of this Act, with respect to the organization of each of the several courts therein provided for and of the Administrative Office of the United States Courts, shall be construed as continuations of existing law, and the tenure of the judges, officers, and employees thereof and of the United States attorneys and marshals and their deputies and assistants, in office on the effective date of this Act, shall not be affected by its enactment, but each of them shall continue to serve in the same capacity under the appropriate provisions of title 28, as set out in section 1 of this Act, pursuant to his prior appointment: *Provided, however*, That each circuit court of appeals shall, as in said title 28 set out, hereafter be known as a United States court of appeals. No loss of rights, interruption of jurisdiction, or prejudice to matters pending in any of such courts on the effective date of this Act shall result from its enactment.

Continuance in office of judges, etc.

Salary of Assistant Director of Administrative Office of U. S. Courts.

(c) The sum of $7,500 specified in this Act as the salary which the Assistant Director of the Administrative Office of the United States Courts shall receive, and the sum of $7,500 specified in this Act as the salary which each commissioner whom the Court of Claims may appoint shall receive, shall each respectively be that basic compensation on which shall be computed and paid the additional basic compensation mentioned in section 521 of the Act of June 30, 1945 (ch. 212, 59 Stat. 301), as amended by the Act of May 24, 1946 (ch. 270, sec. 6, 60 Stat. 217).

5 U. S. C. §§ 934, 935.

(d) Anything in this Act to the contrary notwithstanding, the provisions of section 14 of the Act of July 1, 1944 (ch. 358, 58 Stat. 663), are not hereby repealed.

41 U. S. C. § 114.

Attorneys under authority of Department of Justice.

SEC. 3. Section 366 of the Revised Statutes (5 U. S. C., section 315), as amended, is amended to read as follows:

"SEC. 366. Every attorney specially retained under authority of

the Department of Justice shall be commissioned as special assistant to the Attorney General or special attorney and shall take the oath required by law. Foreign counsel employed in special cases shall not be required to take such oath.".

SEC. 4. Section 5261 of the Revised Statutes (45 U. S. C., section 87) is amended to read as follows:

Suits by railroad companies.

"SEC. 5261. Any railroad company from whom payments for freight and transportation have been withheld under the provisions of section 5260 may bring suit in the Court of Claims to recover the price of such freight and transportation.".

45 U. S. C. § 86.

SEC. 5. Section 3 of the Act approved February 23, 1887 (chapter 210, 24 Stat. 409, 410; 21 U. S. C., section 193) is amended by striking out the present third sentence thereof, and by striking out the final sentence thereof and substituting in lieu of such final sentence the following:

Opium.

"Every package of opium or package containing opium, either in whole or in part, brought, taken, or transported, trafficked, or dealt in contrary to the provisions of this section, shall be forfeited to the United States, for the benefit of China.".

SEC. 6. Section 1 of the Act approved August 1, 1888 (chapter 728, 25 Stat. 357; 40 U. S. C., sec. 257) is amended to read as follows:

Procurement of real estate for public use.

"That in every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a public building or for other public uses, he may acquire the same for the United States by condemnation, under judicial process, whenever in his opinion it is necessary or advantageous to the Government to do so, and the Attorney General of the United States, upon every application of the Secretary of the Treasury, under this Act, or such other officer, shall cause proceedings to be commenced for condemnation within thirty days from receipt of the application at the Department of Justice.".

SEC. 7. Section 13 of the Act approved July 31, 1894 (chapter 174, 28 Stat. 210) is hereby amended by striking out the second paragraph thereof (5 U. S. C., section 321), and by amending the first paragraph thereof (31 U. S. C., section 84) to read as follows:

Transmission of accounts to GAO.

"SEC. 13. Before transmission to the General Accounting Office, the accounts of United States attorneys, assistant attorneys, and marshals, made out and approved as required by law, and accounts relating to prisoners convicted or held for trial in any court of the United States, and all other accounts relating to the Department of Justice, shall be sent with their vouchers to the Attorney General and examined under his supervision. Before transmission to the General Accounting Office, the accounts of United States Commissioners, clerks of court and other officers of the courts of the United States, except the Supreme Court of the United States and consular courts, made out and approved as required by law, shall be sent with their vouchers to the Director of the Administrative Office of the United States Courts and examined under his supervision."

SEC. 8. Section 86 of the Act approved April 30, 1900 (chapter 339, 31 Stat. 158; 48 U. S. C., secs. 641, 642, 643–645), as amended, is amended to read as follows:

Removal of causes, etc., as between courts of U. S. and Hawaii.

"SEC. 86. The laws of the United States relating to removal of causes, appeals and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii."

Ante, p. 283.

SEC. 9. The first paragraph of section 4 of the Act approved June 6, 1900 (chapter 786, 31 Stat. 322; 48 U. S. C., section 101, first paragraph), as amended, is amended to read as follows:

"SEC. 4. There is hereby established a district court for the District of Alaska, with the jurisdiction of district courts of the United States and with general jurisdiction in civil, criminal, equity, and admiralty causes; and four district judges shall be appointed for the district, each at an annual salary of $15,000, who shall during their terms of office reside in the divisions of the district to which they may be respectively assigned by the President. The court shall consist of four divisions, which shall also be recording divisions.". District court for Alaska.

SEC. 10. Section 7 of the Act approved June 6, 1900 (chapter 786, 31 Stat. 324; 48 U. S. C., section 106), as amended, is amended by striking out the words "Attorney General" wherever such words appear in such section, and substituting in lieu thereof the words "Director of the Administrative Office of the United States Courts"; also by striking out the seventh sentence thereof (such sentence being the third sentence after the proviso in such section) and substituting in lieu of such sentence the following: "He may appoint necessary deputies and employ other necessary clerical assistance to aid him in the expeditious discharge of the duties of his office, with the approval of the court or judge, and, subject to the approval of the Director of the Administrative Office of the United States Courts, fix the compensation of such deputies and the compensation for such clerical assistance." Duties of clerks.

SEC. 11. Section 8 of the Act approved June 6, 1900 (chapter 786, 31 Stat. 324; 48 U. S. C., section 109), as amended by the Act approved March 3, 1909, ch. 269, § 4, 35 Stat. 841, is amended to read as follows:

"SEC. 8. Four district attorneys shall be appointed for the district, one of whom shall be assigned to each division and shall reside at such place in the division as the Attorney General shall direct. They shall each perform the duties required to be performed by United States attorneys in other districts, and such other duties as may be required by law. The Attorney General shall fix the salaries of such district attorneys, and such attorneys shall not while in office accept retainers or engage in any other law business in the district than that pertaining to the duties of their office. The Attorney General may, upon the recommendation of the district attorney, appoint and at pleasure remove one or more assistant district attorneys and one or more clerical assistants, who shall receive such compensation as the Attorney General shall fix, to be paid as assistant United States attorneys and clerical assistants in other districts are paid. In the case of the death or disability of a district attorney the judge may appoint a suitable person to fill the office until his successor is appointed and qualified or until the disability is removed.". Appointment of district attorneys.

SEC. 12. The first paragraph of section 9 of the Act approved June 6, 1900 (chapter 786, 31 Stat. 324; 48 U. S. C., section 110, part) is amended to read as follows:

"SEC. 9. Four United States marshals shall be appointed for the district, at salaries which shall be fixed by the Attorney General, one of whom shall be assigned to each division, and shall reside at such place in the division as the Attorney General shall direct. Each marshal shall have authority and be required to appoint, subject to the approval of the Attorney General, such deputy marshals as he may deem necessary for the efficient execution of the law and the orders of the court and of the commissioners appointed as herein provided.". Appointment of U. S. marshals.

SEC. 13. Section 10 of the Act approved June 6, 1900 (chapter 786, 31 Stat. 325; 48 U. S. C., sections 62, 63, 107, 110, 112, 113, 114) is amended to read as follows:

"SEC. 10. The governor, attorneys, judges, and the marshals provided for in this Act shall be appointed by the President, by and Governor, attorneys, judges, and marshals.

with the advice and consent of the Senate, and shall hold their respective offices for the term of four years and until their successors are appointed and qualified, unless sooner removed by the President for cause.

Salaries.

"The governor shall receive an annual salary of $10,000, payable from the Treasury of the United States.

"The salaries of the judges, marshals, clerks, and district attorneys shall be payable from the Treasury of the United States, as like officers are paid in other districts.

Collection of fees, etc.

"Each clerk shall collect all money arising from the fees of his office or on any other account authorized by law to be paid to or collected by him, and shall report the same and the disposition thereof in detail, under oath, quarterly, or more frequently if required, to the court, the Director of the Administrative Office of the United States Courts, and the Secretary of the Treasury, and all public money received by him and his deputies for fees or on any other account shall be paid out by the clerk on the order of the court, duly made and signed by the judge, and any balance remaining in his hands after all payments ordered by the court shall have been made shall be by him covered into the Treasury of the United States at such times and under such rules and regulations as the Secretary of the Treasury may prescribe. The clerk may employ, with the approval of the court, necessary clerical assistants and other employees in such number as may be approved by the Director of the Administrative Office of the United States Courts.

Traveling expenses.

"The governor shall, in addition to his salary, be paid his actual traveling and subsistence expenses when traveling in the discharge of his official duties. The judges shall be entitled to the same travel and subsistence allowances as those of United States District Judges in other districts. The marshals, clerks of court, and district attorneys shall, in addition to their salaries, be paid their actual traveling and subsistence expenses in accordance with the Subsistence Expense Act of 1926 (chapter 457, 44 Stat. 688), as amended, and government travel regulations, when traveling in the discharge of their official duties.

5 U. S. C. § 821.

"Accounts for such expenses of judges, marshals, district attorneys, and clerks shall be rendered and paid as are accounts of judges, marshals, district attorneys, and clerks for like expenses in other districts.".

Clerk of District Court of U. S. for D. C.

D. C. Code, Supp. VI, § 11-401.

SEC. 14. The catchline to section 174 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1218; D. C. Code, 1940 ed., section 11-401), as amended, is amended by striking out the words, "Oath; bond; deputy" and substituting in lieu thereof the word, "Deputy"; the first sentence of such section as amended, is hereby repealed, and the second sentence of such section as amended, is amended to read as follows:

"The clerk of the United States District Court for the District of Columbia may assign any of the deputy clerks in his office to duty in the general or special terms of the court, except in the probate term.".

U. S. Court of Appeals for D. C.

SEC. 15. Section 224 of the Act approved March 3, 1901 (chapter 854, 31 Stat. 1224, 1225; D. C. Code, 1940 ed., section 11-204), as amended by the Act approved June 30, 1902 (chapter 1329, 32 Stat. 528), is amended to read as follows:

"SEC. 224. Deputy clerk signing for clerk.—The deputy clerk for the United States Court of Appeals for the District of Columbia may sign the name of the clerk of such court to any official act required by law or by the practice of the court to be performed by the clerk, and may authenticate said signature by affixing the seal of the court thereto

when the impress of the seal is necessary to its authentication. In such case the signature shall be—

———— ————, *Clerk*,
By ———— ————, *Deputy Clerk*."

Compensation of court officers, D. C.

SEC. 16. The opening paragraph of section 1108 of the Act approved March 3, 1901 (chapter 854, 31 Stat. 1363; D. C. Code, 1940 ed., section 11–1501) is amended by striking out the word "commissioners" appearing therein and by also striking out the comma immediately following such word.

SEC. 17. Section 2 of the Act approved February 11, 1903 (chapter 544, 32 Stat. 823; 15 U. S. C., sec. 29, 49 U. S. C., sec. 45), as amended, is amended to read as follows:

Appeal from judgment of district court.

"SEC. 2. In every civil action brought in any district court of the United States under any of said Acts, wherein the United States is complainant, an appeal from the final judgment of the district court will lie only to the Supreme Court.".

SEC. 18. The second sentence of the second paragraph of section 6 of the Act approved April 22, 1908 (chapter 149, 35 Stat. 65, 66; 45 U. S. C., section 56), as added by the Act approved April 5, 1910 (chapter 143, section 1, 36 Stat. 291), is amended to read as follows:

Concurrent jurisdiction.

"The jurisdiction of the courts of the United States under this Act shall be concurrent with that of the courts of the several States.".

SEC. 19. The final sentence of section 1 of the Act approved June 19, 1912 (chapter 174, 37 Stat. 137; 40 U. S. C., section 324) is amended to read as follows:

Appeal by contractors or subcontractors.

"Any contractor or subcontractor aggrieved by the withholding of any penalty as hereinbefore provided shall have the right within six months thereafter to appeal to the head of the department making the contract on behalf of the United States or the Territory, and in the case of a contract made by the District of Columbia to the Commissioners thereof, who shall have power to review the action imposing the penalty, and in all such appeals from such final order whereby a contractor or subcontractor may be aggrieved by the imposition of the penalty hereinbefore provided, such contractor or subcontractor may, within six months after decision by such head of a department or the Commissioners of the District of Columbia, file a claim in the Court of Claims.".

SEC. 20. Section 41 of the Act approved March 2, 1917 (chapter 145, 39 Stat. 965; 48 U. S. C., section 863), as amended, is amended to read as follows:

U. S. District Court for Puerto Rico.

"SEC. 41. The United States District Court for the District of Puerto Rico shall, in addition to its other jurisdiction, have jurisdiction for the naturalization of aliens and Puerto Ricans, and, for this purpose, residence in Puerto Rico shall be counted in the same manner as residence elsewhere in the United States. Said district court shall have jurisdiction of all controversies where all of the parties on either side of the controversy are citizens or subjects of a foreign State or States, or citizens of a State, Territory, or District of the United States not domiciled in Puerto Rico, wherein the matter in dispute exceeds, exclusive of interest or cost, the sum or value of $3,000, and of all controversies in which there is a separable controversy involving such jurisdictional amount and in which all of the parties on either side of such separable controversy are citizens or subjects of the character aforesaid. The salaries of the judge and officials of the United States District Court for the District of Puerto Rico, together with the court expenses, shall be paid from the United States revenues in the same manner as in other United States district courts. In case of vacancy or of the death, absence, or other legal disability on the part of the judge of the said United States District Court for the District of Puerto Rico, the President of the United States is authorized to

designate one of the judges of the Supreme Court of Puerto Rico to discharge the duties of judge of said court until such absence or disability shall be removed, and thereupon such judge so designated for said service shall be fully authorized and empowered to perform the duties of said office during such absence or disability of such regular judge, and to sign all necessary papers and records as the acting judge of said court without extra compensation.".

SEC. 21. Section 42 of the Act approved March 2, 1917 (ch. 145, 39 Stat. 966; 48 U. S. C., section 864) is amended to read as follows:

"SEC. 42. The laws of the United States relating to appeals, certiorari, removal of causes, and other matters or proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the United States District Court for the District of Puerto Rico and the courts of Puerto Rico.

"All pleadings and proceedings in the District Court of the United States for Puerto Rico shall be conducted in the English language.".

SEC. 22. Section 1 of the Act approved May 28, 1926 (chapter 411, 44 Stat. 669; 19 U. S. C., section 405a), is amended to read as follows:

U. S. Customs Court.

"That the Board of General Appraisers shall hereafter be known as the United States Customs Court and the members thereof shall hereafter be known as the judges of the United States Customs Court.".

28 U. S. C. § 861b.

SEC. 23. Section 2 of the Act approved January 31, 1928 (chapter 14, 45 Stat. 54), as amended, is amended to read as follows:

Substitution of appeal for writ of error.

"SEC. 2. All Acts of Congress referring to writs of error shall be construed as amended to the extent necessary to substitute appeal for writ of error.".

SEC. 24. The first sentence of the Act approved December 20, 1928 (chapter 41, 45 Stat. 1056; D. C. Code, 1940 ed., section 11–301, first sentence) is hereby repealed, and the second and third sentences thereof (D. C. Code, 1940 ed., section 11–301, second and third sentences) are amended to read as follows:

Chief judge of U. S. District Court for D. C.

"The chief judge of the United States District Court for the District of Columbia shall assign from time to time, and for such period or periods as he may determine, one of the judges of the said court to hear cases involving the condemnation of land in the District of Columbia, and it shall be the primary duty of the judge so assigned to preside at the hearing of such cases, and only when not engaged in such cases shall he be subject to assignment to the other business of the court. The chief judge may assign for service in condemnation cases any judge of said court in case of disability of the judge so serving or for any other reason."

Transmittal of appeal to U. S. Customs Court.

SEC. 25. Subsection (a) of section 501 of the Act approved June 17, 1930 (chapter 497, Title IV, 46 Stat. 730; 19 U. S. C., section 1501 (a)), as amended, is amended by striking out the fourth sentence thereof and inserting in lieu of such sentence the following: "Every such appeal shall be transmitted with the entry and the accompanying papers by the collector to the United States Customs Court."

SEC. 26. Section 509 of the Act approved June 17, 1930 (chapter 497, Title IV, 46 Stat. 733; 19 U. S. C., section 1509) is amended by striking out the words, "Collectors, appraisers, and judges and divisions of the United States Customs Court" at the beginning of such section, and inserting in lieu thereof the words, "Collectors and appraisers".

SEC. 27. Section 3 of the Act approved May 7, 1934 (chapter 222, 48 Stat. 668; 40 U. S. C., section 13c) is amended to read as follows:

U. S. Supreme Court Building.

"SEC. 3. All other duties and work required for the operation, domestic care, and custody of the building shall be performed under the direction of the Marshal of the Supreme Court of the United States,

who shall be superintendent of the United States Supreme Court Building.".

SEC. 28. Section 26 of the Act approved June 22, 1936 (chapter 699, section 26, 49 Stat. 1813), as amended by the Act approved August 5, 1939 (chapter 430, 53 Stat. 1203; U. S. C., 48 U. S. C., section 1405y) is amended by adding to the first paragraph thereof, the following:

Virgin Islands. Appointment of district attorney.

"In the case of a vacancy in the office of district attorney, the District Court of the Virgin Islands may appoint a district attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of court".

Indians, Oklahoma. Suits involving cooperative associations.

SEC. 29. Section 5 of the Act approved June 26, 1936 (chapter 831, 49 Stat. 1968; 25 U. S. C., section 505) is amended by striking out the third, fourth, and fifth sentences thereof, and substituting in lieu of such sentences the following sentence: "Within thirty days after such service or within such extended time as the trial court may permit, the Secretary of the Interior may intervene in such action or may remove such action to the United States district court."

SEC. 30. Section 3 of the Act approved May 24, 1940 (chapter 209, 54 Stat. 220; 28 U. S. C., 1940 edition, section 5a) is amended to read as follows:

Judge of District Court of Virgin Islands.

"SEC. 3. The salary of the judge of the District Court of the Virgin Islands of the United States shall be at the rate of $15,000 per year.".

SEC. 31. Section 42 of Title 7 of the Canal Zone Code (48 U. S. C., section 1353) is amended by inserting at the end thereof a new subsection to read as follows:

Canal Zone. District attorney and marshal.

"e. In case of a vacancy in the office of district attorney or marshal the district court may appoint a person to exercise the duties of the vacant office until such vacancy is filled. The order of appointment by the court shall be filed with the clerk of court."

Definitions.

SEC. 32. As used in any statute of the United States:

"Circuit court of appeals" means a "United States court of appeals";

"Senior circuit judge" means "chief judge of a judicial circuit";

"Senior district judge" means "chief judge of a United States district court";

"Chief Justice" means "chief judge" except when reference to the Chief Justice of the United States is intended;

"Justice" means "judge" except when used with respect to a justice of the Supreme Court of the United States in his capacity as such or as circuit justice;

"Presiding judge" means "chief judge."

SEC. 33. No inference of a legislative construction is to be drawn by reason of the chapter in Title 28, Judiciary and Judicial Procedure, as set out in section 1 of this Act, in which any any section is placed, nor by reason of the catchlines used in such title.

Ante, p. 869.

Separability of provisions.

SEC. 34. If any part of Title 28, Judiciary and Judicial Procedure, as set out in section 1 of this Act, shall be held invalid, the remainder shall not be affected thereby.

Repeals.

SEC. 35. Sections 61 and 62 of Title 7 of the Canal Zone Code are hereby repealed.

53 Stat. 164. 26 U. S. C. § 1141 (a).

Sec. 36. Section 1141 (a) of the Internal Revenue Code is hereby amended to read as follows:

Review of decisions of Tax Court.

"The circuit courts of appeals and the United States Court of Appeals for the District of Columbia shall have exclusive jurisdiction to review the decisions of the Tax Court, except as provided in section 1254 of title 28 of the United States Code, in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury; and the judgment of any such court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari, in the manner provided in section

Ante, p. 928.

members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have safe and sanitary housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age of such an eligible displaced person shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed eligible displaced persons.

Spouse and dependent children.

"Eligible displaced person."

(d) "Eligible displaced person" shall also mean a native of Czechoslovakia who has fled as a direct result of persecution or fear of persecution from that country since January 1, 1948, and (1) who is on the effective date of this Act in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna, or the American zone, the British zone, or the French zone of either Germany or Austria, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) for whom assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have safe and sanitary housing without displacing some other person from such housing. The spouse and unmarried dependent child or children under twenty-one years of age of such an eligible displaced person shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed eligible displaced persons.

Spouse and dependent children.

"Eligible displaced orphan."

(e) "Eligible displaced orphan" means a displaced person (1) who is under the age of sixteen years, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) who is an orphan because of the death or disappearance of both parents, and (4) who, on or before the effective date of this Act, was in Italy or in the American sector, the British sector, or the French sector of either Berlin or Vienna or the American zone, the British zone or the French zone of either Germany or Austria, and (5) for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly.

Issuance of visas without regard to quotas.

SEC. 3. (a) During the two fiscal years following the passage of this Act a number of immigration visas not to exceed two hundred and two thousand may be issued without regard to quota limitations for those years to eligible displaced persons as quota immigrants, as provided in subsection (b) of this section: *Provided*, That not less than 40 per centum of the visas issued pursuant to this Act shall be available exclusively to eligible displaced persons whose place of origin or country of nationality has been de facto annexed by a foreign power: *Provided further*, That not more than two thousand visas shall be issued to eligible displaced persons as defined in subsection (d) of section 2 of this Act.

Limitation.

Supra.

Quota deduction.

(b) Upon the issuance of an immigration visa to any eligible displaced person as provided for in this Act, the consular officer shall use a quota number from the immigration quota of the country of the alien's nationality as defined in section 12 of the Act of May 26, 1924 (U. S. C., title 8, sec. 212), for the fiscal year then current at the time or, if no such quota number is available for said fiscal year, in that event for the first succeeding fiscal year in which a quota number is available: *Provided*, That not more than 50 per centum of any quota shall be so used in any fiscal year: *Provided further*, That eligible displaced orphans may be issued special nonquota immigration visas, except that

43 Stat. 160.

Special nonquota visas.

the number of such special nonquota immigration visas shall not exceed three thousand.

Certain aliens in U. S.; adjustment of status.

SEC. 4. (a) Any alien who (1) entered the United States prior to April 1, 1948, and (2) is otherwise admissible under the immigration laws, and (3) is a displaced person residing in the United States as defined in this section may apply to the Attorney General for an adjustment of his immigration status. If the Attorney General shall, upon consideration of all the facts and circumstances of the case, determine that such alien is qualified under the provisions of this section, the Attorney General shall report to the Congress all of the pertinent facts in the case. If during the session of the Congress at which a case is reported, or prior to the end of the session of the Congress next following the session at which a case is reported, the Congress passes a concurrent resolution stating in substance that it favors the granting of the status of permanent residence to such alien the Attorney General is authorized, upon receipt of a fee of $18.00, which shall be deposited in the Treasury of the United States to the account of miscellaneous receipts, to record the admission of the alien for permanent residence as of the date of the alien's last entry into the United States. If prior to the end of the session of the Congress next following the session at which a case is reported, the Congress does not pass such resolution, the Attorney General shall thereupon deport such alien in the manner provided by law: *Provided*, That the number of displaced persons who shall be granted the status of permanent residence pursuant to this section shall not exceed 15,000. Upon the grant of status of permanent residence to such alien as provided for in this section, the Secretary of State shall, if the alien was a quota immigrant at the time of entry, reduce by one the immigration quota of the country of the alien's nationality as defined in Section 12 of the Immigration Act of May 26, 1924, for the fiscal year then current or the next succeeding fiscal year in which a quota number is available, but not more than 50 per centum of any quota shall be used for this purpose in any given fiscal year: *Provided further*, That quota deductions provided for in this section shall be made within the 50 per centum limitations contained in section 3 (b) of this Act.

Report to Congress.

Deportation.

Limitation.

Quota deduction.

43 Stat. 160.
8 U. S. C. § 212.

Ante, p. 1010.

(b) When used in this section the term "Displaced Person residing in the United States" means a person who establishes that he lawfully entered the United States as a non-immigrant under section 3 or as a nonquota immigrant student under subdivision (e) of Section 4 of the Immigration Act of May 26, 1924, as amended, and that he is a person displaced from the country of his birth, or nationality, or of his last residence as a result of events subsequent to the out-break of World War II; and that he cannot return to any of such countries because of persecution or fear of persecution on account of race, religion or political opinions.

"Displaced Person residing in the United States."

Ante, p. 1010.

43 Stat. 155.
8 U. S. C. § 204 (e).

Quota nationality.

SEC. 5. Quota nationality for the purposes of this Act shall be determined in accordance with the provisions of Section 12 of the Immigration Act of 1924 (43 Stat. 160–161; 8 U. S. C. 212) and no eligible displaced person shall be issued an immigration visa if he is known or believed by the consular officer to be subject to exclusion from the United States under any provision of the immigration laws, with the exception of the contract labor clause of section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875–878; 8 U. S. C. 136), and that part of the said Act which excludes from the United States persons whose ticket or passage is paid by another or by any corporation, association, society, municipality, or foreign government, either directly or indirectly; and all eligible displaced persons and eligible displaced orphans shall be exempt from paying visa fees and head taxes.

Exemption from visa fees and head taxes.

Preferences.

SEC. 6. The preferences provided within the quotas by Section 6 of the Immigration Act of 1924 (43 Stat. 155–156; 47 Stat. 656; 45 Stat. 1009; 8 U. S. C. 206), shall not be applicable in the case of any eligible displaced person receiving an immigration visa under this Act, but in lieu of such preferences the following preferences, without priority in time of issuance of visas as between such preferences, shall be granted to eligible displaced persons and their family dependents who are the spouse or the unmarried dependent child or children under twenty-one years of age, in the consideration of visa applications:

Ante, p. 241.

Agricultural pursuits.

(a) First. Eligible displaced persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits: *Provided*, That not less than 30 per centum of the visas issued pursuant to this Act shall be made available exclusively to such persons; and *Provided further*, That the wife, and unmarried dependent child or children under twenty-one years of age, of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits.

Wife and dependent children.

Household, garment, etc., workers.

(b) Second. Eligible displaced persons who are household, construction, clothing, and garment workers, and other workers needed in the locality in the United States in which such persons propose to reside; or eligible displaced persons possessing special educational, scientific, technological or professional qualifications.

Professional, etc., personnel.

Blood relatives of U. S. residents.

(c) Third. Eligible displaced persons who are the blood relatives of citizens or lawfully admitted alien residents of the United States, such relationship in either case being within the third degree of consanguinity computed according to the rules of the common law.

Priority in issuance of visas.

SEC. 7. Within the preferences provided in section 6, priority in the issuance of visas shall be given first to eligible displaced persons who during World War II bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion or political opinions and second, to eligible displaced persons who, on January 1, 1948, were located in displaced persons camps and centers, but in exceptional cases visas may be issued to those eligible displaced persons located outside of displaced persons camps and centers upon a showing, in accordance with the regulations of the Commission, of special circumstances which would justify such issuance.

Displaced Persons Commission.

SEC. 8. There is hereby created a Commission to be known as the Displaced Persons Commission, consisting of three members to be appointed by the President, by and with the advice and consent of the Senate, for a term ending June 30, 1951, and one member of the Commission shall be designated by him as chairman. Each member of the Commission shall receive a salary at the rate of $10,000 per annum. There are hereby authorized to be appropriated such sums of money as may be necessary to enable the Commission to discharge its duties. Within the limits of such funds as may be appropriated to the Commission or as may be allocated to it by the President, the Commission may employ necessary personnel without regard to the Civil Service laws or the Classification Act of 1923, as amended, and make provisions for necessary supplies, facilities, and services to carry out the provisions and accomplish the purposes of this Act.

Appropriation authorized.

Post, pp. 1031, 1290.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

Duties.

It shall be the duty of the Commission to formulate and issue regulations, necessary under the provisions of this Act, and in compliance therewith, for the admission into the United States of eligible displaced orphans and eligible displaced persons. The Commission shall formulate and issue regulations for the purpose of obtaining the most

general distribution and settlement of persons admitted under this Act throughout the United States and their Territories and possessions. It shall also be the duty of the Commission to report on February 1, 1949, and semiannually thereafter to the President and to the Congress on the situation regarding eligible displaced orphans, eligible displaced persons and displaced persons. Such report shall also include information respecting employment conditions and the housing situation in this country, the place and type of employment, and the residence of eligible displaced orphans and eligible displaced persons who have been admitted into the United States pursuant to the provisions of this Act. At the end of its term the Commission shall make a final report to the President and to the Congress.

Semiannual reports.

Final report.

SEC. 9. Every eligible displaced person, except an eligible displaced person who shall have derived his status because of being the spouse or an unmarried dependent child under twenty-one years of age of an eligible displaced person, who shall be admitted into the United States shall report, on the 1st day of January and on the 1st day of July of each year until he shall have made four reports to the Commission, respecting the employment, place of employment, and residence of such person and the members of such person's family and shall furnish such other information in connection with said employment and residence as the Commission shall by regulation prescribe: *Provided*, That if such person enters the United States within sixty days prior to either the 1st day of January or the 1st day of July, the first report need not be made until the next date on which a report is required to be made. Such report shall be made to the Commission during its term and thereafter to the Attorney General. Any person who willfully violates the provisions of this section shall, upon conviction thereof, be fined not to exceed $500, or be imprisoned not more than six months.

Reports by displaced person to Commission.

Penalty.

SEC. 10. No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this Act. The burden of proof shall be upon the person who seeks to establish his eligibility under this Act. Any person who shall willfully make a misrepresentation for the purpose of gaining admission into the United States as an eligible displaced person shall thereafter not be admissible into the United States. No eligible displaced orphan or eligible displaced person shall be admitted into the United States under the provisions of this Act except in pursuance of the regulations of the Commission, but, except as otherwise expressly provided in this Act, the administration of this Act, under the provisions of this Act and the regulations of the Commission as herein provided, shall be by the officials who administer the other immigration laws of the United States. Except as otherwise authorized in this Act, all immigration laws, including deportation laws, shall be applicable to eligible displaced orphans and eligible displaced persons who apply to be or who are admitted into the United States pursuant to this Act.

Investigation and report prior to admission to U. S.

Misrepresentation.

Applicability of other laws.

SEC. 11. After June 30, 1948, no preference or priority shall be given to any person because of his status as a displaced person, or his status as an eligible displaced person, in the issuance of visas under the other immigration laws of the United States.

Preference or priority after June 30, 1948.

SEC. 12. The Secretary of State is hereby authorized and directed to immediately resume general consular activities in Germany and Austria to the end that the German and Austrian quotas shall be available for applicants for immigration visas pursuant to the immigration laws. From and after June 30, 1948 and until July 1, 1950, notwithstanding the provisions of section 12 of the Immigration Act of May 26, 1924, as

Resumption of general consular activities in Germany and Austria.

43 Stat. 160.
8 U. S. C. § 212.

amended, 50 per centum of the German and Austrian quotas shall be available exclusively to persons of German ethnic origin who were born in Poland, Czechoslovakia, Hungary, Romania or Yugoslavia and who, on the effective date of this Act reside in Germany or Austria.

Restriction on issuance of visas.

SEC. 13. No visas shall be issued under the provisions of this Act to any person who is or has been a member of, or participated in, any movement which is or has been hostile to the United States or the form of government of the United States.

Penalty.

Ante, p. 1013.

SEC. 14. Any person or persons who knowingly violate or conspire to violate any provision of this Act, except section 9, shall be guilty of a felony, and upon conviction thereof shall be fined not less than $500 nor more than $10,000, or shall be imprisoned not less than two or more than ten years, or both.

Approved June 25, 1948.

[CHAPTER 648]

June 25, 1948
[S. 2401]
[Public Law 775]

AN ACT

To provide for the administration of military justice within the United States Air Force, and for other purposes.

U. S. Air Force. Administration of military justice.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the United States Air Force the office of the Judge Advocate General, United States Air Force. The office of the Judge Advocate General, United States Air Force, shall be occupied by the Judge Advocate General, United States Air Force, with the rank of major general, who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified officers of the United States Air Force, for a term of four years. The Judge Advocate General, United States Air Force, shall be charged with supervising the administration of military justice in the United States Air Force and the performance of such other legal duties as may be directed by the Chief of Staff, United States Air Force.

Applicability of laws.

SEC. 2. The Articles of War and all other laws now in effect relating to the Judge Advocate General's Department, the Judge Advocate General of the Army, and the administration of military justice within the United States Army shall be applicable to the Department of the Air Force with respect to the personnel thereof, and all references in such laws to the Department of the Army (War), the Army of the United States and its components, the Secretary of the Army (War), the Judge Advocate General, Assistants Judge Advocate General, and officers of or assigned to the Judge Advocate General's Department shall be construed for the purposes of this Act, as referring to, and vesting like authority, duties, functions, and responsibilities in, the Department of the Air Force, the Air Force of the United States and its components, the Secretary of the Air Force, the Judge Advocate General, United States Air Force, and officers of the United States Air Force designated by the Chief of Staff, United States Air Force, as judge advocates, respectively: *Provided*, That until the expiration of the transfer period prescribed by section 208 (e) of the National Security Act of 1947 (Public Law 253, Eightieth Congress), the jurisdiction conferred hereby may be exercised with respect to personnel of any component of the Department of the Army who may be under the command and authority of the Chief of Staff, United States Air Force.

61 Stat. 504.
5 U. S. C., Supp. I, § 626e (e).

Retirement of Judge Advocate General.

SEC. 3. Any officer of the United States Air Force who shall have served not less than four years as the Judge Advocate General, United

States Air Force, shall, upon retirement, be advanced on the retired list to the highest active duty grade held while so serving and shall receive retired pay computed upon such higher active duty grade.

Prior offenses.

SEC. 4. Nothing contained herein shall be construed to prevent the prosecution, punishment, mitigation, or other action, by the United States acting through appropriate officers of either the Department of the Army or the Department of the Air Force as to any offense made punishable by the Articles of War committed prior to the date of this Act by any person subject to military law, and either of those departments may enforce or mitigate any penalty, forfeiture, fine, or liability, heretofore adjudged against such person.

Approved June 25, 1948.

[CHAPTER 649]

AN ACT

To amend the Organic Act of Puerto Rico.

June 25, 1948
[S. 2675]
[Public Law 776]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Organic Act of Puerto Rico (39 Stat. 951) is amended by inserting the following new section:

48 U. S. C. § 731 note; Supp. I, § 737 *et seq.*

"SEC. 5b. Section 404 (c) of the Nationality Act of 1940 (U. S. C., title 8, sec. 804 (c)), shall not be applicable to persons who acquired citizenship under the provisions of sections 5 and 5a of this Act." This amendment to be retroactive to October 13, 1945.

54 Stat. 1170.

39 Stat. 953; 44 Stat. 1418.
8 U. S. C. § 602 note.

Approved June 25, 1948.

[CHAPTER 650]

AN ACT

To fix the rank of the Assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements.

June 25, 1948
[S. 2770]
[Public Law 777]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officer of the Corps of Engineers assigned to duty as Assistant to the Chief of Engineers in charge of civil works, including river and harbor and flood-control improvements, shall, while assigned to such duty, have the rank, pay, and allowances of a brigadier general: *Provided*, That this position shall not be charged against the authorized strength of general officers of the Regular Army: *Provided further*, That the pay and allowances, mileage and travel allowances, of the officer holding such position shall be paid from the appropriations for the work or works upon which he is engaged.

Assistant to Chief of Engineers.
Rank, pay, and allowances.

Approved June 25, 1948.

[CHAPTER 651]

JOINT RESOLUTION

To increase the sum authorized to be appropriated for the presentation to Eire of a statue of Commodore John Barry.

June 25, 1948
[H. J. Res. 297]
[Public Law 778]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the joint resolution approved June 10, 1941, which authorized the President to present to Eire on behalf of the people of the United States a statue of Commodore John Barry, is hereby amended by striking out "$20,000" and inserting in lieu thereof "$30,000".

55 Stat. 250.

Approved June 25, 1948.

[CHAPTER 652]

AN ACT

June 25, 1948
[H. R. 945]
[Public Law 779]

Relating to the payment of fees, expenses, and costs of jurors.

U. S. Courts.
Fees of jurors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act fixing the fees of jurors and witnesses in the United States courts, including the District Court of Hawaii, the District Court of Porto Rico (now 'Puerto Rico'), and the Supreme Court of the District of Columbia (now 'District Court of the United States for the District of Columbia')", approved April 26, 1926 (44 Stat. 323), as amended (U. S. C., title 28, sec. 600), is hereby amended to read as follows:

Ante, p. 1000.

"SEC. 2. Jurors in the United States courts, including the United States District Court for the District of Columbia, the United States District Court for the Territory of Hawaii, and the District Court of the United States for Puerto Rico, and excluding the United States district courts of Alaska and the Canal Zone and the District Court of the Virgin Islands, shall receive the following and no other compensation, except in cases otherwise expressly provided by law: For actual attendance at the place of trial or hearing of any court or courts, and for the time necessarily occupied in going to and returning from such place of trial or hearing, either at the beginning and end of service or at any time during the same, $5 per day during such attendance: *Provided*, That whenever a juror is required to attend court thirty or more days in hearing a single case, he may be paid, in the discretion and upon the certification of the trial judge, a per diem of up to and not exceeding $10 for each and every day in excess of thirty days he is required to hear such case.

Court attendance over 30 days.

Travel expenses.

"For the distance necessarily traveled by the shortest practicable route from their place of residence in going to and returning from the place of trial or hearing at the beginning and at the end of the term of service, 5 cents per mile: *Provided*, That for additional necessary daily transportation expenses, the cost of travel by common carrier shall be allowed not to exceed $2 per day, or if it is not practicable to travel by common carrier a rate of 5 cents per mile shall be allowed but not to exceed $2 per day, or if daily travel appears impracticable subsistence of $2 per day shall be allowed: *Provided further*, That whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the marshal upon the order of the court in lieu of the foregoing allowance for subsistence.

Subsistence expenses.

Approved June 25, 1948, 4:37 p. m., E. D. T.

[CHAPTER 653]

AN ACT

June 25, 1948
[H. R. 2766]
[Public Law 780]

To amend section 2 of an Act, entitled "An Act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia", approved March 4, 1925, as amended (18 U. S. C. 725).

U. S. Courts.
Probation system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of an Act, entitled "An Act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia", approved March 4, 1925, as amended (18 U. S. C. 725), is hereby amended to read as follows:

43 Stat. 1260.
Ante, p. 865.

Report by probation officer.

"SEC. 2. When directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer

while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

Transfer of jurisdiction over probationer.

"Whenever during the period of his probation, a probationer heretofore or hereafter placed on probation, goes from the district in which he is being supervised to another district, jurisdiction over him may be transferred, in the discretion of the court, from the court for the district from which he goes to the court for the other district, with the concurrence of the latter court. Thereupon the court for the district to which jurisdiction is transferred shall have all power with respect to the probationer that was previously possessed by the court for the district from which the transfer is made, except that the period of probation shall not be changed without the consent of the sentencing court. This process under the same conditions may be repeated whenever during the period of his probation the probationer goes from the district in which he is being supervised to another district.

Arrest by probation officer.

"At any time within the probation period the probation officer may for cause arrest the probationer wherever found, without a warrant, or the court for the district in which the probationer is being supervised may issue a warrant for his arrest. Such warrant may be executed by either the probation officer or the United States marshal of either the district in which the probationer is being supervised or of any district in which the probationer shall be found. If the probationer shall be so arrested in a district other than that in which he is being supervised, he shall be returned to the district out of which such warrant shall have been issued, unless jurisdiction over him is transferred as above provided to the district in which he is found, and in that case he shall be detained pending further proceedings in such district. As speedily as possible after arrest the probationer shall be taken before the court for the district having jurisdiction over him. At any time after the probation period, but within the maximum period of probation permitted by section 1 of this Act, the court for the district in which the defendant was last being supervised, may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence. If there was no previous sentence, the court upon the revocation of probation may impose any sentence which might originally have been imposed. If there was a previous sentence, the court may confirm it or set it aside and impose a new sentence not longer than the previous sentence."

Arrest after probation period.
43 Stat. 1259.
18 U. S. C. § 724.
Ante, p. 865.

Approved June 25, 1948, 4:38 p. m., E. D. T.

[CHAPTER 654]

AN ACT

To amend the Public Health Service Act to permit certain expenditures, and for other purposes.

June 25, 1948
[H. R. 4114]
[Public Law 781]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 (d) of the Public Health Service Act, as amended (42 U. S. C. 241 (d)), is amended by changing the semicolon at the end thereof to a comma and adding: "and include in the grants for any such project grants of penicillin and other antibiotic compounds for use in such project;".

Public Health Service Act, amendments.
58 Stat. 692.
Ante, pp. 467, 601.

SEC. 2. (a) Paragraph (a) of section 321 of such Act (42 U. S. C. 248 (a)) is amended to read as follows:

58 Stat. 695.

"(a) Control, manage, and operate all institutions, hospitals, and stations of the Service, including minor repairs and maintenance, and provide for the care, treatment, and hospitalization of patients, including the furnishing of prosthetic and orthopedic

devices, and tobacco; and from time to time, with the approval of the President, select suitable sites for and establish such additional institutions, hospitals, and stations in the States and possessions of the United States as in his judgment are necessary to enable the Service to discharge its functions and duties;".

58 Stat. 696.
42 U. S. C. § 248 (c), (d).

(b) Such section is further amended by striking out the word "and" at the end of paragraph (c), by striking out the period at the end of paragraph (d) and inserting in lieu thereof "; and", and by inserting after paragraph (d) the following new paragraph:

Burial expenses.

"(e) Provide, to the extent the Surgeon General determines that other public or private funds are not available therefor, for the payment of expenses of preparing and transporting the remains of, or the payment of reasonable burial expenses for, any patient dying in a hospital or station."

58 Stat. 696.
42 U. S. C., Supp. I, § 249 note.

SEC. 3. Subsection (e) of section 322 of such Act (42 U. S. C. 249 (e)) is amended by inserting after the phrase "Persons entitled to care and treatment under subsection (a) of this section" the words "and persons whose care and treatment is authorized by subsection (c)".

58 Stat. 698.

SEC. 4. Section 331 of such Act (42 U. S. C. 255) is amended by adding at the end thereof the following new sentence: "Such funds shall also be available, subject to regulations, for transportation of recovered indigent leper patients to their homes within the continental United States, including subsistence allowance while traveling."

Transportation of recovered leper patients.

58 Stat. 701.

SEC. 5. Subsection (b) of section 344 of such Act (42 U. S. C. 260 (b)) is amended by adding at the end thereof the following new sentence: "Appropriations available for the care and treatment of addicts admitted to a hospital of the Service under this section shall be available, subject to regulations, for paying the cost of transportation to any place within the continental United States, including subsistence allowance while traveling, for any indigent addict who is discharged as cured."

Transportation of cured indigent addicts.

58 Stat. 710.

SEC. 6. Section 504 of such Act (42 U. S. C. 222) is amended by adding at the end thereof the following new sentence: "Funds available for the operation of such hospitals, institutions, and stations of the Service shall also be available for expenditure to meet court costs and other expenses of the Service incident to proceedings for the commitment, to Saint Elizabeths Hospital or to any hospital, institution, or station of the Service, of any mentally incompetent person entitled to treatment by the Service."

Availability of funds for court costs.

58 Stat. 711.

SEC. 7. Section 509 of such Act (42 U. S. C. 227) is amended to read as follows:

Availability of appropriations.

"SEC. 509. Appropriations for carrying out the purposes of this Act shall be available for expenditure for personal services and rent at the seat of Government; books of reference, periodicals, and exhibits; printing and binding; transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at stations determined by the Surgeon General to be isolated stations; expenses incurred in pursuing, identifying, and returning prisoners who escape from any hospital, institution, or station of the Service or from the custody of any officer or employee of the Service, including rewards for the capture of such prisoners; furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the Surgeon General for use by employees in the performance of their official duties; reimbursing officers and employees, subject to regulations of the Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such officers or employees are engaged in the performance of their official duties; and maintenance of buildings of the National Institute of Health."

Approved June 25, 1948.

[CHAPTER 655]

AN ACT

Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

June 25, 1948
[H. R. 5524]
[Public Law 782]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1949, for civil functions administered by the Department of the Army and for other purposes, namely:

Civil Functions Appropriation Act, 1949.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

Cemeterial expenses: For maintaining and improving national cemeteries, including fuel for and pay of superintendents and other employees; purchase of grave sites; maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279–280b), and civilians interred in post cemeteries; for maintenance of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; for the establishment of national cemeteries on military, naval or territorial lands to be transferred or otherwise made available for this purpose at Punch Bowl Crater, Territory of Hawaii, and Bayamon Naval Gunnery Range, Puerto Rico; and for maintenance of graves used by the Army for burials in commercial cemeteries; $7,809,153, of which $1,021,000 shall be immediately available: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Maintenance of national cemeteries.

Headstones.

17 Stat. 545; 20 Stat. 281; 45 Stat. 1307; 54 Stat. 142.
Post, p. 1215.

Confederate cemeteries.

Commercial cemeteries.

Encroachment by railroad.

Roadway repairs.

CEMETERIAL EXPENSES, NO YEAR

Cemeterial expenses (Act of May 16, 1946): For all expenses necessary, not otherwise provided for, to enable the Secretary of the Army to carry out his responsibilities in connection with the evacuation and return to their homeland of the remains of members of the armed forces and certain citizens and employees of the United States as authorized by the Act of May 16, 1946, as amended by the Act of August 5, 1947

60 Stat. 182.
50 U. S. C., Supp. I, app. §§ 1811–1819.
Ante, p. 334.

61 Stat. 779.
50 U. S. C., Supp. I, app. §§ 1811–1819.
Ante, p. 334.

(Public Law 368), including burial expenses or payment of allowances in lieu thereof; personal services at the seat of government and elsewhere; construction of buildings and facilities; acquisition of real estate or interests therein; operation, maintenance, and repair of passenger automobiles; printing and binding; settlement of claims incident to and resulting from activities pursuant to said Act in accordance with the Act approved July 3, 1943 (31 U. S. C. 223b), as amended, and section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and communication and other services and supplies at the seat of government or elsewhere; $38,369,000, to be immediately available: *Provided*, That the Secretary of the Army is authorized to furnish, without reimbursement, supplies and equipment in excess of the needs of the Department of the Army and to make available existing facilities of the Department of the Army to the fullest extent possible for the accomplishment of the objects provided for herein: *Provided further*, That expenditures from this appropriation may be made when necessary to carry out its purpose without regard to sections 355, 1136, 3648, 3709, and 3734, Revised Statutes, as amended, or civil-service and classification laws.

57 Stat. 372.
60 Stat. 843.
Ante, p. 1008.
50 U. S. C. § 175; 10 U. S. C. § 1339; 31 U. S. C. § 529; 41 U. S. C. § 5; 40 U. S. C. §§ 259, 267.
Ante, p. 381.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

Alaska Communication System: For expenses necessary for the operation, maintenance, and improvement of the Alaska Communication System, including purchase of two passenger motor vehicles, $1,804,000, to remain available until the close of the fiscal year 1950, and in addition not to exceed 15 per centum of the fiscal year 1949 receipts of the Alaska Communication System may be merged with and used for the purposes of this appropriation: *Provided*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Appropriation Committees of the Congress.

Report to Congressional Appropriation Committees.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

To be immediately available and to be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of the Army may deem necessary may be employed only in the Office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood-control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1949 shall not exceed $1,250,000, and the Secretary of the Army shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each: *Provided further*, That the various appropriations for rivers and harbors and flood control may be used for the purchase, in the fiscal year 1949, of five hundred passenger motor vehicles (of which three hundred and fifty-six shall be for replacement only) and ten motorboats, and the purchase (not to exceed seven), maintenance, repair, and operation of aircraft: *Provided further*, That not to exceed $16,000 of the sums appropriated herein may be used to pay the expenses of Corps of Engineers representatives to three international engineering conferences to be held in Europe during the calendar year 1948.

Additional personnel.

Limitation on expenditures. Report to Congress.

Purchase of motor vehicles, motorboats, and aircraft.

Attendance at international engineering conferences.

RIVERS AND HARBORS

Maintenance, etc.

Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins, and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for payment annually of tuition fees of not to exceed one hundred student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law; $166,989,100: *Provided further*, That from this appropriation the Secretary of the Army may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission: *Provided further*, That from this appropriation not to exceed $1,000,000 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the Act of August 8, 1946 (60 Stat. 932), and the Act of August 14, 1946 (60 Stat. 1080).

California Débris Commission.

27 Stat. 507.

Student officers.

41 Stat. 785.
Ante, p. 477.

Printing and binding.

Unauthorized surveys, etc.

Harbor channels.

Permanent International Commission of the Congresses of Navigation.
Post, p. 1174.

Transfer of funds.

16 U. S. C. §§ 756, 757, 661–666c.

Alteration of bridges over navigable waters: For payment of the share of the United States of the cost of alteration of bridges over navigable waters in accordance with the provisions of the Act of June 21, 1940 (Public Law 647), $500,000.

54 Stat. 497.
33 U. S. C. §§ 511–523.

FLOOD CONTROL

Construction and maintenance.
Post, p. 1041.

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for preliminary examinations, surveys, and contingencies in connection with the flood control, $339,491,100: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate the Garrison (North Dakota) Reservoir at a higher maximum normal pool elevation than one thousand eight hundred and thirty feet, or for constructing dikes or levees which would be required by a higher maximum normal pool elevation than one thousand eight hundred and thirty feet for operating such dam: *Provided further*, That the authority contained in section 6 of the Flood Control Act of 1946 approved July 24, 1946 (Public, 526), is hereby extended to include the projects known as Oahe Reservoir, South Dakota, Pine Flat Reservoir, California, Isabella Reservoir, California, and Folsom Reservoir, California.

49 Stat. 1570.
33 U. S. C. §§ 701a-701f, 701h.

Salmon River, Alaska.

Surveys, plans, etc.

52 Stat. 1216.
33 U. S. C. §§ 701j, 702a-1¾, 702a-12.

Garrison Reservoir, N. Dak.

Extension of authority.
60 Stat. 642.

Post, p. 1041.

Flood control, general (emergency fund): For the repair, restoration, and strengthening of levees and other flood control works in accordance with the Act of June 23, 1947 (Public Law 102), $3,000,000.

61 Stat. 163.

Mississippi River and tributaries.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, $61,000,000.

45 Stat. 534.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), $500,000.

33 U. S. C. § 702g-1.

Sacramento River, Calif.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of the Act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638–651), $1,750,000.

39 Stat. 949.

MISCELLANEOUS CIVIL WORKS

Federal water mains outside D. C.

Maintenance and operation, Certain Federal Water Mains Outside the District of Columbia: For the maintenance, operation, improvement, extension, and protection of Federal water lines located outside the District of Columbia required to serve nearby Government establishments and facilities with water from the water supply system of the District of Columbia, including interconnections with other water

systems for emergency use wherever located, to be immediately available and to be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, $12,000.

PENALTY MAIL

Penalty mail: For deposit in the Treasury for penalty mail pertaining to civil functions administered by the Department of the Army (39 U. S. C. 321d), $225,000.

58 Stat. 394.
Post, p. 1049.

UNITED STATES SOLDIERS' HOME

Trust account: For maintenance and operation of the United States Soldiers' Home, including not to exceed $300 for deposit in the Treasury for penalty mail (39 U. S. C. 321d), to be paid from the Soldiers' Home permanent fund, $2,435,000, of which $446,579 shall be immediately and continuously available until expended for the modernization of existing utilities of the United States Soldiers' Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army, upon the recommendation of the Board of Commissioners of the Home and the Surgeon General of the Army: *Provided further*, That any owning or disposal agency is authorized to transfer surplus property, other than real estate, to the United States Soldiers' Home without reimbursement or transfer of funds.

58 Stat. 394.
Post, p. 1049.

Restriction.

Transfer of surplus property.

THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including printing and binding; personal services in the District of Columbia, purchase (not to exceed twenty-four in the fiscal year 1949), and hire of passenger motor vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses of attendance (not to exceed $10,000), when authorized by the Governor, at meetings of organizations concerned with activities pertaining to the Panama Canal; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; not to exceed $2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements, as follows:

Maintenance, etc.

Damage claims.
48 U. S. C. § 1319.

60 Stat. 843.
Ante, p. 1008.

37 Stat. 560.
48 U. S. C. §§ 1301-1387; Supp. I, § 1336e *et seq.*
Ante, p. 991.

Emergencies.

Travel expenses.

Buildings and improvements.

Maintenance and operation of the Panama Canal: For salary of the

Governor, $10,000; contingencies of the Governor, including entertainment, to be expended in his discretion, not exceeding $3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); and not to exceed $6,000 for deposit in the Treasury for penalty mail for offices of the Panama Canal in the United States (39 U. S. C. 321d); in all, $13,149,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Alien cripples.

39 Stat. 750.

Relief payments.

48 U. S. C. § 1372.

58 Stat. 394.

Post, p. 1049.

37 Stat. 560.

48 U. S. C. §§ 1301–1387; Supp. I, § 1336e *et seq.*

Ante, p. 991.

Sanitation: For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed $50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, $3,600,000.

Blood transfusions.

Civil government: For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, $3,277,313.

Construction of additional facilities, Panama Canal: For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the Act of August 11, 1939 (53 Stat. 1409), and for carrying out the purposes of the Act of December 28, 1945 (59 Stat. 663), including reimbursements to the appropriations for "Maintenance and operation, sanitation, and civil government, Panama Canal", in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, $100,000.

48 U. S. C. § 1307 note.

Total, Panama Canal, $20,126,313, to be available until expended.

Additional sums.

In addition to the foregoing sums there is hereby made available for the fiscal year 1949 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1949 from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

There is also made available for the fiscal year 1949 for the operation,

maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses.

Waterworks, etc., Panama and Colon.

GENERAL PROVISIONS

SEC. 2. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest: *Provided further*, That the President may, if he finds it necessary because of a shortage of housing, suspend, for the fiscal year 1949, the application of those portions of this section which require the employment of citizens of the Republic of Panama or of the United States in skilled, technical, clerical, administrative, executive, or supervisory positions.

Canal Zone.
Citizenship requirement.
Post, p. 1057.

Employment of Panamanian citizens.
48 U. S. C. § 1307 note.

Limitation.

Employees with 15 years' service.

Selection of personnel.

Hours of employment; pay rates.

Applicability.

Wartime or emergency suspension.

Housing shortage.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or that such person does not advocate, and is not a member of an organization that advocates, the

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

60 Stat. 810.

SEC. 4. The Governor of the Panama Canal and the Chief of Engineers, Department of the Army, are authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), but at rates not exceeding $100 per diem for individuals.

Payment of claims.

60 Stat. 843.
Ante, p. 1008.
60 Stat. 903.

SEC. 5. Appropriations for the Department of the Army and for civil functions administered by the Department of the Army may be used for the payment of claims under the Act of July 3, 1943, and section 403 of the Federal Tort Claims Act (28 U. S. C. 921), and for health programs as authorized by law (5 U. S. C. 150).

Short title.

SEC. 6. This Act may be cited as the "Civil Functions Appropriation Act, 1949".

Approved June 25, 1948.

[CHAPTER 656]

AN ACT

June 25, 1948
[H. R. 5886]
[Public Law 783]

To amend section 332 (a) of the Nationality Act of 1940.

Nationality Act of 1940, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 332 (a) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1154; 8 U. S. C. 732), is hereby amended to read as follows:

Petition for naturalization.

"SEC. 332. (a) An applicant for naturalization shall, not less than two nor more than seven years after such declaration of intention has been made, make and file in the office of the clerk of a naturalization court, in duplicate, a sworn petition in writing, signed by the applicant in the applicant's own handwriting if physically able to write, and duly verified by witnesses, which petition shall contain substantially the following averments by such applicant."

Approved June 25, 1948.

[CHAPTER 657]

AN ACT

June 25, 1948
[H. R. 6293]
[Public Law 784]

To amend the Act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 8 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June 19, 1934, as amended (49 Stat. 1821), is amended by inserting after the first sentence thereof the following new sentence: "All such fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund created by section 5 of the National Archives Trust Fund Board Act."

44 U. S. C. § 300h.

55 Stat. 581.
44 U. S. C. § 300ee.

Approved June 25, 1948.

[CHAPTER 658]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.

June 25, 1948
[H. R. 6935]
[Public Law 785]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiency appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

Second Deficiency Appropriation Act, 1948.
Ante, pp. 59, 213.

LEGISLATIVE BRANCH

SENATE

For payment to Ruth D. Overton, widow of John H. Overton, late a Senator from the State of Louisiana, $12,500.

For an additional amount, fiscal year 1949, for the Office of the Sergeant at Arms and Doorkeeper, $8,020: *Provided*, That the rates of basic annual compensation for the following positions shall be: Four laborers at $1,320 each: *Provided*, That the provisions of the Federal Employees Pay Act of 1945, as amended, shall not apply to two positions of special employees under the office of the Sergeant at Arms, and the Legislative Branch Appropriation Act for 1949 is amended accordingly.

Ante, p. 424.

59 Stat. 295.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*
Post, p. 1267.
Ante, p. 424.

CONTINGENT EXPENSES OF THE SENATE

Stationery: For an additional allowance for stationery for the second session of the Eightieth Congress, to remain available until December 31, 1948, $200.

Ante, pp. 213, 425.

Joint Committee on Foreign Economic Cooperation: For salaries and expenses of the Joint Committee on Foreign Economic Cooperation, as authorized by Public Law 472, Eightieth Congress, including per diem and subsistence expenses, without regard to the Subsistence Act of 1926, approved June 3, 1926, as amended, $262,000.

Ante, pp. 157, 213; *post*, p. 1056.
Ante, p. 156.
44 Stat. 688.
5 U. S. C. § 821.

Joint Committee on Inaugural Ceremonies of 1949: To enable the Secretary of the Senate to pay the necessary expenses of the inaugural ceremonies of the President of the United States, January 20, 1949, in accordance with such program as may be adopted by the joint committee of the Senate and House of Representatives, appointed under a concurrent resolution of the two Houses, including the pay for extra police, $108,000.

62 Stat., Pt. 2, p. 1430.

HOUSE OF REPRESENTATIVES

For payment to Emma E. Owens, widow of Thomas L. Owens, late a Representative from the State of Illinois, $12,500.

MILEAGE OF MEMBERS

For mileage due and unpaid to Members of the House of Representatives, Seventy-ninth and prior Congresses, $906.

CONTINGENT EXPENSES OF THE HOUSE

Reporting hearings: For an additional amount, fiscal year 1947, for "Reporting hearings", $11,000.

60 Stat. 397.

Reporting hearings: For an additional amount, fiscal year 1948, for "Reporting hearings", $15,000.

61 Stat. 366.

Stationery (revolving fund): For an additional stationery allowance of $300 for each Representative, Delegate, and the Resident Commissioner of Puerto Rico, for the second session of the Eightieth Congress, $131,400, to remain available until expended.

Stationery (revolving fund): For stationery allowance due a newly elected Member of the House of Representatives, by special election, second session, Eightieth Congress, to remain available until expended, $500.

For payment to James C. Davis, contestee, for expenses incurred in the contested election case of Lowe versus Davis as audited and recommended by the Committee on House Administration, $1,289.08, to be disbursed by the Clerk of the House.

For payment to James C. Davis, contestee, for expenses incurred in the contested election case of Mankin versus Davis as audited and recommended by the Committee on House Administration, $2,000, to be disbursed by the Clerk of the House.

For payment to Helen Douglas Mankin, contestant, for expenses incurred in the contested election case of Mankin versus Davis as audited and recommended by the Committee on House Administration, $2,000, to be disbursed by the Clerk of the House.

For payment to David J. Wilson, contestant, for expenses incurred in the contested election case of Wilson versus Granger as audited and recommended by the Committee on House Administration, $2,000, to be disbursed by the Clerk of the House.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For an additional amount, fiscal year 1949, for the "Capitol Buildings", including the objects specified under this head in the Legislative Branch Appropriation Act, 1949, $35,000.

Ante, p. 430.

Capitol Building: For an additional amount to enable the Architect of the Capitol to carry forward the improvements affecting the Senate Wing of the Capitol authorized by the Second Deficiency Appropriation Act of June 27, 1940 (54 Stat. 629), as amended by the Acts of June 8, 1942 (56 Stat. 342), and July 17, 1945 (59 Stat. 472), $600,000. The Architect of the Capitol is authorized to enter into contracts, including cost-plus-a-fixed-fee contracts as approved by the Special Committee on Reconstruction of Senate Roof and Skylights and Remodeling of Senate Chamber, and to make such other expenditures as may be necessary for the improvements affecting the Senate Wing of the Capitol authorized by such Acts, in such amounts as may be approved by the Senate committee appointed under section 1 of the Act of July 17, 1945, notwithstanding the provisions of section 2 of that Act: *Provided*, That the amounts so approved by such committee may be obligated in full prior to the actual appropriation thereof.

Contracts.

59 Stat. 472.

ADDITIONAL OFFICE BUILDING FOR THE UNITED STATES SENATE

Acquisition of site: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to acquire on behalf of the United States, by purchase, condemnation, or otherwise (any condemnation proceedings to be in accordance with the provisions of the Act of March 1, 1929 (45 Stat. 1415)), as a site for an additional office building for the United States Senate, all of the land, buildings, and other structures and alleys and parts of alleys (whether private or public) contained in that part of square 725 in the District of Columbia, bounded on the west by First Street Northeast, on the north by C Street Northeast, on the south by B Street Northeast, and on the

east by the west boundaries of lots numbered 104, 105, 840, 805, and 80 and by a line running from the northwest corner of lot numbered 805 across the thirty-foot alley to a point on the southern boundary of lot numbered 840 due north of such corner and from such point to the southwest corner of lot numbered 840, and also to acquire in similar manner lot numbered 852 in said square 725, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act; and, upon acquisition of such property or any part thereof to provide for the demolition and removal as expeditiously as possible of any buildings or other structures on any such land acquired and, pending such demolition, to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to provide for the maintenance and protection of such property; $1,100,000.

Demolition and removal of buildings.

Construction and equipment of building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, at a total cost (exclusive of site and other expenses authorized under the preceding paragraph) not to exceed $20,600,000, and in substantial accordance with the preliminary plans prepared under the authority of the Act of July 11, 1947 (Public Law 169, Eightieth Congress), and approved by the Senate Office Building Commission, with such modification as may be necessary or advantageous, to provide for the construction and equipment of a fireproof office building for the use of the United States Senate on the site hereinbefore designated, containing committee and office rooms and such other rooms and accommodations as may be approved by the Senate Office Building Commission, including connections with the present Senate Office Building and subway transportation system by suitable tunnels and transportation system under First Street and B Street Northeast and structural and other changes in the present building and subway system necessitated thereby, and also including approaches, connections with the Capitol Power Plant and public utilities, and architectural landscape treatment of the grounds, $850,000: *Provided*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures as may be necessary for materials, supplies, equipment, accessories, advertising, travel, personal and other services, and any other items required for the proper completion of the project, and to obligate in full the total amount of $20,600,000 herein authorized, prior to the actual appropriation thereof, notwithstanding that an initial amount of only $850,000 thereof is herein appropriated, and notwithstanding any other partial appropriations that may hereafter be made: *Provided further*, That upon completion of the project, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of the Act of June 8, 1942 (U. S. C., title 40, sec. 174 (c) and (d)) and the Act of July 31, 1946 (60 Stat. 718), in the same manner and to the same extent as the present Senate Office Building and the grounds and sidewalks surrounding the same.

61 Stat. 307.
40 U. S. C., Supp. I, § 174a note.

Contracts.

56 Stat. 343.
40 U. S. C. §§ 174c, 174d.
40 U. S. C. §§ 193a-193m, 212a, 212b; Supp. I, § 212b.

Senate Restaurants: For repairs, improvements, furnishings and equipment for the Senate Restaurant, Capitol Building, including personal and other services, fiscal year 1949 $15,000, to be expended by the Architect of the Capitol under the supervision of the Senate Committee on Rules and Administration, without regard to section 3709 of the Revised Statutes, as amended.

41 U. S. C. § 5.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

General expenses: Surplus funds accumulated during the fiscal year 1948 through the operation of the working capital of the Government

Ante, p. 214.

61 Stat. 374.

Printing Office (Public printing and binding, Government Printing Office, 1948) are hereby made available for the additional transfer of $77,000 to the appropriation "General expenses, Office of Superintendent of Documents, 1948", including the objects and subject to the conditions set forth under this heading in the Legislative Branch Appropriation Act, 1948.

61 Stat. 376.

THE JUDICIARY

MISCELLANEOUS ITEMS OF EXPENSE

61 Stat. 305.

Printing and binding: For an additional amount, fiscal year 1948, for "Printing and binding" for advanced opinions, preliminary prints, and bound reports of the Supreme Court, $23,000.

FUNDS APPROPRIATED TO THE PRESIDENT

ARMED FORCES LEAVE PAYMENTS

60 Stat. 912.

Payments under the Armed Forces Leave Act of 1946: Not to exceed $700,000 of the amount appropriated under this head in the First Supplemental Appropriation Act, 1947, shall remain available during the fiscal year 1949 for transfer, in such amounts as the Director of the Bureau of the Budget may determine, to the Bureau of the Public Debt, Treasury Department, for administrative expenses necessary to carry out the provisions of the Armed Forces Leave Act of 1946, as amended, including personal services in the District of Columbia and elsewhere, including printing and binding.

60 Stat. 963.
37 U. S. C. §§ 32-37; Supp. I, §§ 33-38; 10 U. S. C. § 18; 34 U. S. C. § 604.
Ante, p. 506.

DEFENSE AID, LIQUIDATION LEND-LEASE PROGRAM

Administrative expenses: For the liquidation by the Treasury Department in the fiscal year 1949 of activities under an Act to promote the defense of the United States (55 Stat. 31), as amended, $250,000.

22 U. S. C. §§ 411-419.

Obligations: Not to exceed $25,000,000 of the funds appropriated or continued available by title II of the Second Deficiency Appropriation Act, 1945, for carrying out the provisions of an Act to promote the defense of the United States (55 Stat. 31), as amended, shall remain available for expenditure until June 30, 1949, for liquidation of obligations incurred under said Act prior to June 30, 1946, and for payment of claims, approved prior to June 30, 1949, under a patent interchange agreement executed pursuant to said Act.

59 Stat. 429.
22 U. S. C. §§ 411-419.

CARE, HANDLING, AND DISPOSAL OF SURPLUS PROPERTY ABROAD

Care, handling, and disposal of surplus property abroad: To enable the President, by allocation during the fiscal year 1949 to any department, agency, corporation, or independent establishment in the executive branch of the Government, to provide for expenses necessary for the care, handling, and disposal, pursuant to law, of surplus property located outside the continental United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands, and for the care and handling of surplus property located in the United States but disposed of to foreign governments, including personal services in the District of Columbia; employment of persons outside the continental limits of the United States without regard to civil-service and classification laws; attendance at meetings of organizations concerned with the activities for which this appropriation is made; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); payment of rent in foreign countries in advance; printing and binding, including printing and binding outside the continental limits of the United States

60 Stat. 810.
Payment of rent in advance.

without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); and hire of passenger motor vehicles; $18,300,000: *Provided*, That none of the funds herein appropriated shall be available for reimbursement for pay and allowances or subsistence of military or naval personnel except cost-of-living allowances for military or naval personnel assigned or detailed to the Department of State: *Provided further*, That $13,850,000 of this appropriation shall be available exclusively for the care and handling of surplus property located in the United States but disposed of to foreign governments.

40 Stat. 1270.
Limitation.
Surplus property in U. S.

DISASTER RELIEF

Disaster relief: To enable the President, through such agency or agencies as he may designate, and in such manner as he shall determine, to supplement the efforts and available resources of State and local governments or other agencies, whenever he finds that any flood, fire, hurricane, earthquake, or other catastrophe in any part of the United States is of sufficient severity and magnitude to warrant emergency assistance by the Federal Government in alleviating hardship, or suffering caused thereby, and if the governor of any State in which such catastrophe shall occur shall certify that such assistance is required, $500,000, to remain available until June 30, 1949, and to be expended without regard to such provisions regulating the expenditure of Government funds or the employment of persons in the Government service as he shall specify: *Provided*, That no expenditures shall be made with respect to any such catastrophe in any State until the governor of such State shall have entered into an agreement with such agency of the Government as the President may designate giving assurance of expenditure of a reasonable amount of the funds of the government of such State, local governments therein, or other agencies, for the same or similar purposes with respect to such catastrophe: *Provided further*, That no part of this appropriation shall be expended for departmental personal services: *Provided further*, That no part of this appropriation shall be expended for permanent construction: *Provided further*, That within any affected area Federal agencies are authorized to participate in any such emergency assistance.

Agreement requirement.
Restriction.
Permanent construction.

DISPLACED PERSONS COMMISSION

Displaced Persons Commission: For expenses necessary to enable the Commission during the fiscal year 1949 to carry out the provisions of S. 2242, Eightieth Congress, entitled "A bill to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes", including personal services in the District of Columbia; travel expenses without regard to the Standardized Government Travel Regulations, as amended, and the rates of per diem allowances under the Subsistence Expense Act of 1926, as amended; expenses of attendance at meetings of organizations concerned with the purposes of this appropriation; purchase (not to exceed fifteen, including one at not to exceed $3,000) and hire of passenger motor vehicles; printing and binding, including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); health service program as authorized by law (5 U. S. C. 150); employment of aliens; payment of rent in foreign countries in advance; and purchases and services abroad without regard to section 3709 of the Revised Statutes; $2,000,000: *Provided*, That allocations

Ante, p. 1009; *post*, p. 1290.
44 Stat. 688.
5 U. S. C. § 821.
40 Stat. 1270.
60 Stat. 810.
60 Stat. 843.
Ante, p. 1008.
60 Stat. 903.
41 U. S. C. § 5.
Allocations from appropriation.

may be made from this appropriation by the Commission upon approval by the Director of the Bureau of the Budget to any department, agency, corporation, or independent establishment of the Government for direct expenditure for the purposes of this appropriation, and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, corporation, or independent establishment to which amounts are allocated: *Provided further*, That the Commission may enter into agreements with governmental and private agencies and may make payment in advance or by reimbursement for expenses incurred by such agencies in rendering assistance to the Commission in carrying out the purposes of this Act.

Agreements with governmental and private agencies.

INDEPENDENT OFFICES

FEDERAL SECURITY AGENCY

PUBLIC HEALTH SERVICE

National Institute of Health, operating expenses: For an additional amount, fiscal year 1949, for "National Institute of Health, operating expenses", $500,000: *Provided*, That appropriations under said head for the fiscal year 1949 shall be available for carrying out the purposes of the National Heart Act, including erection of temporary structures for storage of equipment and supplies and housing of animals.

Ante, p. 401.

Ante, p. 464.

SOCIAL SECURITY ADMINISTRATION

Reconversion unemployment benefits for seamen: For an additional amount, fiscal year 1949, for "Reconversion unemployment benefits for seamen", $1,170,000.

Ante, p. 445.

Salaries and expenses, Bureau of Employment Security: For an additional amount, fiscal year 1949, for "Salaries and expenses, Bureau of Employment Security", $50,000.

Ante, p. 445.

BUREAU OF EMPLOYMENT SECURITY

Working capital fund: For establishment of a working capital fund in accordance with and for carrying out the purposes of S. 2767, Eightieth Congress, $1,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 2767, Eightieth Congress.

Post, p. 1238.

FEDERAL WORKS AGENCY

Administrative expenses, water-pollution control: For expenses necessary, fiscal year 1949, to carry out the administrative functions of the Federal Works Agency under the provisions of S. 418, relating to pollution control activities, $75,000, including personal services in the District of Columbia; travel, printing and binding; and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a): *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 418, Eightieth Congress.

Post, p. 1155.

60 Stat. 810.

PUBLIC BUILDINGS ADMINISTRATION

Buildings and facilities, Cincinnati, Ohio: For preparation of plans for buildings and facilities at Cincinnati, Ohio, for the use of the Public Health Service, as provided for by S. 418, Eightieth Congress, $200,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 418, Eightieth Congress.

Post, p. 1159.

Improvement of post-office facilities, Los Angeles, California: For the construction of an additional story and the extension and remodeling of the existing Terminal Annex Station, Los Angeles, California, as provided for by H. R. 5750, Eightieth Congress, $1,000,000 to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of H. R. 5750, Eightieth Congress. *Post*, p. 1104.

Acquisition of property: For an additional amount for the acquisition of the site of the Baltimore parcel-post station and an extension to said site, as authorized in the Second Deficiency Appropriation Act, 1944, $79,000, to remain available until June 30, 1949. 58 Stat. 603.

Sites and planning, certain public buildings outside the District of Columbia: For the acquisition of sites for public buildings, as authorized by the Acts of March 25, 1948 (Public Laws 455 and 456), and for acquisition of site and preparation of drawings and specifications for a public building project as authorized by the Act of March 25, 1948 (Public Law 457), $675,000, to remain available until June 30, 1950. *Ante*, p. 86. *Ante*, p. 86.

General Accounting Office Building, District of Columbia: To carry out the provisions of the Act of May 18, 1948 (Public Law 533), for the construction of a building for the use of the General Accounting Office on square 518, in the District of Columbia, the Federal Works Administrator is hereby authorized to enter into contracts for the project in an amount not exceeding $22,850,000, and the unobligated balance on May 18, 1948, of funds heretofore appropriated for the construction of a building for the General Accounting Office shall be charged against this contract authorization. *Ante*, p. 238.

Federal Courts Building, District of Columbia: For the construction of a building for the use of the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, as authorized by the Act of May 14, 1948 (Public Law 527), $1,000,000, to remain available until expended; and in addition to this appropriation the Federal Works Administrator is authorized to enter into contracts for such purpose in an amount not exceeding $14,875,000. *Ante*, p. 235.

Acquisition of land and buildings, Boston, Massachusetts: For the acquisition of the parcel of land located at 17 Court Street, Boston, Massachusetts, together with all improvements thereon and appertaining thereto, including incidental expenses, $750,000, to remain available until June 30, 1949.

National industrial reserve: For expenses necessary, fiscal year 1949, to carry out the duties imposed upon the Federal Works Agency by S. 2554 or H. R. 6098, Eightieth Congress, relating to the retention and maintenance of a national industrial reserve, including personal services in the District of Columbia; purchase of not to exceed five passenger motor vehicles; printing and binding; and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $35 per diem, and maintenance, protection, repair, restoration, renovation and other services by contract or otherwise without regard to section 3709 of the Revised Statutes; $5,000,000; and in addition, the Federal Works Administrator is authorized to enter into contracts, for the purposes of this appropriation in an amount not to exceed $5,000,000: *Provided*, That appropriations or funds available to the War Assets Administration for use in connection with property or functions transferred to the Federal Works Agency under the provisions of S. 2554, or H. R. 6098, Eightieth Congress, shall be transferred, in such amounts as may be approved by the Director of the Bureau of the Budget, to the Federal Works Agency for the purposes of this appropriation: *Provided further*, That this paragraph *Post*, p. 1225. 60 Stat. 810. 41 U. S. C. § 5. Transfer of funds. *Post*, p. 1225.

shall be effective only upon the enactment into law of either S. 2554 or H. R. 6098, Eighteenth Congress.

Post, p. 1225.

BUREAU OF COMMUNITY FACILITIES

Maintenance and operation of schools: For carrying out the provisions of S. 2795 or H. R. 6527, Eighteenth Congress, relating to assistance to certain local school agencies, fiscal year 1949, $3,000,000, of which not to exceed $100,000 shall be available for administrative expenses, including travel, printing and binding, and personal services in the District of Columbia: *Provided*, That this paragraph shall be effective only upon the enactment into law of either S. 2795 or H. R. 6527, Eighteenth Congress.

Post, p. 1110.

GENERAL ACCOUNTING OFFICE

Salaries: For an additional amount, fiscal year 1949, for "Salaries", $680,000.

Ante, p. 187.

HOUSING AND HOME FINANCE AGENCY

Contingent upon the enactment of the Federal Housing Act of 1948, the Director of the Bureau of the Budget is hereby authorized to increase in the aggregate not to exceed $1,000,000 the allocation for administrative expenses of the Office of the Administrator, Federal Housing Administration, National Home Mortgage Corporation, and the Public Housing Administration for carrying out the provisions of said Act.

Post, pp. 1189, 1268, 1290.

INTERSTATE COMMERCE COMMISSION

General expenses: The appropriation under this head in the Independent Offices Appropriation Act, 1948, shall be available for the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

61 Stat. 598.
60 Stat. 843.
Ante, p. 1008.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses: The limitations under this head in the Independent Offices Appropriation Act, 1947, and in the Independent Offices Appropriation Act, 1948, on the amounts available for deposit in the Treasury for penalty mail, are increased from "$6,000" to "$10,100" and from "$6,500" to "$12,000", respectively.

60 Stat. 72.
61 Stat. 599.

The limitation under this head in the Independent Offices Appropriation Act, 1949, on the amount available for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), is increased from "$10,000" to "$20,000".

Ante, p. 188.
60 Stat. 810.

Liquidation of obligations.

The unexpended balances of the funds advanced to the National Advisory Committee for Aeronautics from the appropriation for "Aviation, Navy", in the Naval Appropriation Act, 1945, for construction and equipment of a wind tunnel at Moffett Field, California, shall remain available during the fiscal year 1949 for the liquidation of obligations incurred prior to July 1, 1947.

58 Stat. 312.

Liquidation of obligations.

The unexpended balances of the appropriation for "Aircraft Engine Research Laboratory, Cleveland, Ohio", in the First Deficiency Appropriation Act, 1945, shall remain available during the fiscal year 1949 for the liquidation of obligations incurred prior to July 1, 1946.

59 Stat. 82.

NATIONAL CAPITAL SESQUICENTENNIAL COMMISSION

National Capital Sesquicentennial Commission: For expenses necessary for the National Capital Sesquicentennial Commission to prepare and carry out a program for the commemoration of the one hundred

and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia, as authorized by the Act of July 18, 1947 (Public Law 203), including personal services in the District of Columbia; travel expenses of employees; travel, hotel, and other necessary expenses of the Commissioners; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $35 per diem; deposits in the Treasury for penalty mail; and rent in the District of Columbia; $15,000, to remain available during the life of the Commission: *Provided*, That the Commission may accept and utilize gifts of money or services from private individuals and organizations.

61 Stat. 396.

60 Stat. 810.

Acceptance of gifts, etc.

SELECTIVE SERVICE SYSTEM

Salaries and expenses: For expenses necessary, fiscal year 1949, to carry out the provisions of H. R. 6401 or S. 2655, Eightieth Congress, establishing the Selective Service System, including personal services in the District of Columbia; not to exceed $5,000 for expenses of attendance at meetings of organizations concerned with the purposes of this appropriation when specifically authorized by the Director; purchase (not to exceed 94) of passenger motor vehicles; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and purchase of typewriters; $25,000,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of either H. R. 6401 or S. 2655, Eightieth Congress.

Ante, p. 604.

60 Stat. 810.

60 Stat. 843.
Ante, p. 1008.

VETERANS' ADMINISTRATION

Soldiers' and sailors' civil relief: For an additional amount, fiscal year 1949, for "Soldiers' and sailors' civil relief", $245,000, to be available until expended.

Post, p. 1202.

Automobiles and other conveyances for disabled veterans: For an additional amount for "Automobiles and other conveyances for disabled veterans", $1,500,000, to be derived by transfer from the apprortion "Administration, medical, hospital and domiciliary services", and to be available until June 30, 1949, for the purposes specified under this head in the Act of August 8, 1946 (Public Law 663), as extended by the Emergency Appropriation Act, 1948.

Post, p. 1291.

Post, p. 1200.

60 Stat. 915.
38 U. S. C. § 252.
61 Stat. 244.

DISTRICT OF COLUMBIA

PUBLIC WELFARE

Day-care centers: For all expenses necessary for the transfer, maintenance, and operation of a system of nurseries and nursery schools for the day care of children of school or under school age, including personal services, as authorized by Public Law 123, approved June 27, 1947, as amended, fiscal year 1949, $150,000.

61 Stat. 188.
Ante, p. 507.

PUBLIC WORKS

Operating expenses, Office of Superintendent of District Buildings: For an additional amount, fiscal year 1948, for "Operating expenses, Office of Superintendent of District Buildings", $12,000.

61 Stat. 440.

SETTLEMENT OF CLAIMS AND SUITS

For the payment of claims in excess of $250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (46 Stat. 500), $8,400.

JUDGMENTS

For the payment of final judgments, rendered against the District of Columbia, as set forth in House Document Numbered 653, Eightieth Congress, together with such further sums as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, $132.

AUDITED CLAIMS

For the payment of claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1945 and prior fiscal years, as follows:

18 Stat. 110.

Salaries and expenses, Executive Office, District of Columbia, 1945, $11.10;

General supervision and instruction, public schools, District of Columbia, 1945, $13.02;

Repairs and maintenance of buildings and grounds, public schools, District of Columbia, 1945, $6.20;

Salaries and expenses, Fire Department, District of Columbia, 1945, $12.46;

General administration, Health Department, District of Columbia, 1945, $36;

Medical charities, District of Columbia, 1945 (Eastern Dispensary and Casualty Hospital), $59.50;

Operating expenses, Juvenile Correctional Service, public welfare, District of Columbia, 1945, $9.12;

Operating expenses, District Training School, District of Columbia, 1945, $1,566.19;

Capital outlay, Office of Superintendent of District Buildings, public works, District of Columbia, 1945, $14,752.80;

Operating expenses, Electrical Division, public works, District of Columbia, 1945, $50.55;

Salaries and expenses, Department of Vehicles and Traffic, highway fund, District of Columbia, 1945, $826.55;

Refund of erroneous collections, District of Columbia, 1944, $420.46;

Public schools, general supervision and instruction, salaries and expenses, District of Columbia, 1944, $224.28;

Fire Department, expenses, District of Columbia, 1944, $127.71;

Gallinger Municipal Hospital, salaries, District of Columbia, 1944, $68.24;

Gallinger Municipal Hospital, expenses, District of Columbia, 1944, $1,221.48;

Working-capital fund, Workhouse and Reformatory, District of Columbia, 1944, $71.77;

Water Department, distribution system, expenses, District of Columbia, 1944, $0.69;

Refunding water rents, District of Columbia, 1944, $30.22;

Refund of erroneous collections, District of Columbia, 1943, $176.89;

Deportation of nonresident insane, District of Columbia, 1943, $248.62;

Refund of erroneous collections, District of Columbia, 1942, $9,771.08;

Refund of erroneous collections, District of Columbia, 1941, $19.96;

In all, $29,724.89.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1948. 61 Stat. 425.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ANIMAL INDUSTRY

Salaries and Expenses

Agriculture remount service: For carrying out, during the fiscal year 1949, the provisions of the Act of April 21, 1948 (Public Law 494), including not to exceed $7,500 for departmental personal services in the District of Columbia, $425,000. *Ante*, p. 197.

Eradication of Foot-and-Mouth and Other Contagious Diseases of Animals

Eradication of foot-and-mouth and other contagious diseases of animals: For an additional amount, fiscal year 1948, for "Eradication of foot-and-mouth and other contagious diseases of animals", $25,400,000, to enable the Secretary of Agriculture to make repayment to the Commodity Credit Corporation for amounts transferred pursuant to authority under this head in the Department of Agriculture Appropriation Act, 1948, as amended by the Supplemental Appropriation Act, 1948. Repayment to Commodity Credit Corporation. 61 Stat. 532, 617.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

Insect and plant disease control: For an additional amount fiscal year 1949, for "Insect and plant disease control", to carry out the Golden Nematode Act of June —, 1948 (Public Law —), including not to exceed $11,970 for personal services in the District of Columbia and the purchase of not to exceed seven passenger motor vehicles, $492,000. *Ante*, p. 518. *Ante*, p. 442.

FOREST ROADS AND TRAILS

Forest roads and trails: For an additional amount, fiscal year 1949, for "Forest roads and trails", for forest highways, $7,500,000, to be available immediately and to remain available until expended; and, in addition to this appropriation, contracts may be entered into and obligations incurred prior to July 1, 1949, for forest highway work in an amount not to exceed $7,500,000. *Ante*, p. 523. Contracts.

FOREST SERVICE

EMERGENCY RECONSTRUCTION AND REPAIR

Emergency reconstruction and repair: For the reconstruction or replacement of roads, trails, bridges, telephone lines, and other facilities and improvements in the national forests damaged or destroyed by floods in May and June 1948, $4,000,000, to remain available until December 31, 1948.

LOANS TO FARMERS, 1948 FLOOD DAMAGE

Loans to farmers, 1948 flood damage: To provide assistance to farmers whose property was destroyed or damaged by floods in 1948, $6,000,000 to remain available until June 30, 1949, which the Secretary of Agriculture is authorized to utilize through any existing agency or bureau for loans in such manner and upon such terms and conditions as he may prescribe for the purpose of aiding such farmers to continue farming operations, and for all necessary administrative expenses (not to exceed 4 per centum of the total amount of loans made) in connection with making and servicing such loans, including printing and binding, and personal services in the District of Columbia: *Provided*, That no such loan shall be made unless no other source of public or private credit is available.

Restriction.

RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses: For an additional amount for salaries and expenses, Rural Electrification Administration, fiscal year 1949, including the objects specified under this head in the Department of Agriculture appropriation bill, 1949, $225,000, such sum to be in addition to amounts otherwise appropriated for such fiscal year.

Ante, p. 529.

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Liquidation of war agencies transferred to Commerce: For expenses necessary for the liquidation, in the fiscal year 1949, of the Foreign Economic Administration, Civilian Production Administration, Office of Price Administration, Office of War Mobilization and Reconversion, and all other functions of the former Office of Temporary Controls, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $175,000.

60 Stat. 810.

Voluntary agreements: For expenses necessary for carrying out, during the fiscal year 1949, the provisions of section 2 of the Act of December 30, 1947 (Public Law 395), relating to voluntary agreements, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates not to exceed $50 per diem for individuals, $600,000.

61 Stat. 945.
50 U. S. C., Supp. I, app. § 1912.

60 Stat. 810.

BUREAU OF THE CENSUS

Census of business: For expenses necessary to collect, compile, and publish the 1949 census of business in accordance with the Act of June —, 1948 (Public Law —), including personal services at the seat of government; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and personal services by contract or otherwise at rates to be fixed by the Director of the Census without regard to the Classification Act; $1,800,000, to be available July 1, 1948, and to remain available until December 31, 1951: *Provided*, That funds for administrative expenses may be transferred from this appropriation to the appropriation "General administration, Bureau of the Census".

Ante, p. 478.

60 Stat. 810.

42 Stat. 1488.
5 U. S. C. §§ 661-674.

Transfer of funds.

Ante, p. 322.

CIVIL AERONAUTICS ADMINISTRATION

Establishment of air-navigation facilities: In addition to the contract authorization previously granted under this head in the Department of Commerce Appropriation Act, 1949, the Civil Aeronautics

Ante, p. 324.

Administration is authorized to enter into contracts and incur obligations prior to July 1, 1949, for the purposes therein specified, in an amount not to exceed $341,499. Contracts.

Construction of public airports, Territory of Alaska: For construction of two public airports, one at Fairbanks and one at Anchorage within the Territory of Alaska, as authorized by the Act of May 28, 1948 (Public Law 562), including necessary buildings, structures, and appurtenances, and acquisition of necessary lands and interest in lands; personal services in the District of Columbia; and purchase (not to exceed two) and hire of passenger motor vehicles; $3,500,000, to remain available until expended; and in addition, the Civil Aeronautics Administration is authorized to enter into contracts for the purposes of this appropriation in an amount not to exceed $9,000,000: *Provided*, That not to exceed $300,000 may be transferred to the appropriation for "Salaries and expenses" under the Civil Aeronautics Administration, for necessary administrative costs. *Ante*, p. 277. Contracts. Transfer of funds. *Ante*, p. 323.

Air navigation development: For expenses necessary, fiscal year 1949, for planning and developing a national system of aids to air navigation and air traffic control common to military and civil air navigation, including research, experimental investigations, purchase, and development, by contract or otherwise, of new types of air navigation aids (including plans, specifications, and drawings); personal services in the District of Columbia; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $50 per diem; $100,000. 60 Stat. 810.

Hereafter the salary of the Administrator of the Civil Aeronautics Administration shall (unless increased to a higher amount by other law enacted either prior or subsequent to this Act) be at the rate of $12,000 per annum. Salary of Administrator.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Departmental salaries and expenses: For an additional amount for "Departmental salaries and expenses", fiscal year 1949, for carrying out the provisions of sections 3, 4, 18 (c) and 18 (d) of the Rubber Act of 1948 (Public Law 469, approved March 31, 1948), relating to controls over the production, distribution, and use of rubber, $164,500, of which not to exceed $5,000 may be transferred to the appropriation for "Salaries and expenses" under the Office of the Secretary. *Ante*, p. 326. *Ante*, pp. 102, 108. *Ante*, p. 321.

Departmental salaries and expenses: For an additional amount, fiscal year 1949, for "Departmental salaries and expenses", $100,000, and the amount made available under this head in the Department of Commerce Appropriation Act, 1949, for transfer to the appropriation for "Salaries and expenses" under the Office of the Secretary is increased from $190,000 to $192,000. *Ante*, p. 326. *Ante*, p. 326.

Field office service: For an additional amount for "Field office service", fiscal year 1949, $15,000. *Ante*, p. 326.

Export control: For expenses necessary for carrying out, during the fiscal year 1949, the provisions of section 3 of the Act of December 30, 1947 (Public Law 395), relating to export controls, including personal services in the District of Columbia and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates not to exceed $50 per diem for individuals, $4,000,000, of which not to exceed $1,350,000 may be transferred to the Bureau of Customs, Treasury Department, for enforcement of the export control program, and of which not to exceed $62,000 may be transferred to the appropriation for "Printing and binding" in the Department of Commerce Appropriation Act, 1949, and of which not to exceed $45,000 may be transferred to the appropriation for "Salaries and expenses" under the 61 Stat. 946. 50 U. S. C., Supp. I, app. § 1913. 60 Stat. 810. *Ante*, p. 561. *Ante*, p. 321. *Ante*, p. 321.

Restriction.

Office of the Secretary in said Act: *Provided*, That no part of this appropriation may be used to enforce any regulation prohibiting the export of one-hundred-pound bags of flour as or in gift packages of any type or quantity.

PATENT OFFICE

61 Stat. 299; *ante*, p. 326.
60 Stat. 810.

Salaries and expenses: Appropriations under this head in the Department of Commerce Appropriation Acts for the fiscal years 1948 and 1949, available for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), shall be available for management and operational studies, by contract or otherwise, of the Patent Office.

WEATHER BUREAU

Ante, p. 327.

Salaries and expenses: For an additional amount, fiscal year 1949, for "Salaries and expenses", $370,000.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

Columbia Basin flood repair: To enable the Secretary of the Interior, through such bureaus of the Department of the Interior as he may designate, and in such manner as he shall determine, to reimburse applicable appropriations for costs of manpower and equipment diverted for flood work and to repair, reconstruct, rehabilitate, and replace structures, buildings, and other facilities (including equipment) under the jurisdiction of the Department damaged or destroyed by the flood in the Columbia Basin area, $2,000,000, to remain available until June 30, 1949.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

61 Stat. 461.
60 Stat. 843.
Ante, p. 1008.

Contingent expenses: For an additional amount, fiscal year 1948, for contingent expenses of the Department of the Interior, $17,000, for payment of claims pursuant to section 403 of the Federal Tort Claims Act of August 2, 1946 (28 U. S. C. 921).

BUREAU OF INDIAN AFFAIRS

Red Lake Band, Chippewa Indians, Minnesota (tribal funds): For a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians, Minnesota, $130,000, payable from the proceeds of the sale of timber and lumber of the Red Lake Reservation: *Provided*, That this amount is made available contingent upon the enactment of H. R. 5355, Eightieth Congress, second session.

Post, p. 1218.

BUREAU OF RECLAMATION

Fort Sumner irrigation district, New Mexico: For the purpose of aiding and assisting the Fort Sumner Irrigation District in New Mexico to protect its diversion dam and the existing works of said irrigation district from flood damage, in the event the Secretary of the Interior determines that flood damage is or appears to be imminent, $60,000, to be reimbursable and to remain available until expended.

Construction: For an additional amount, fiscal year 1949, for "Construction", $453,000, to remain available until expended, for Preston Bench project, Idaho: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 1987, Eightieth Congress.

Post, p. 1126.

Ante, p. 442.

ADVANCES TO COLORADO RIVER DAM FUND

Boulder Canyon project: For an additional amount, fiscal year 1949, for "Boulder Canyon project", $600,000, to remain available until advanced to the Colorado River dam fund. *Post*, p. 1130.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Traveling expenses: For an additional amount, fiscal year 1942, for "Traveling expenses", $5.03. 55 Stat. 290.

Salaries and expenses, Lands Division: For an additional amount, fiscal year 1942, for "Salaries and expenses, Lands Division", $609.50. *Ante*, p. 222.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1945, for "Miscellaneous salaries and expenses, field", $35. *Ante*, p. 222.

Miscellaneous salaries and expenses, field: For an additional amount, fiscal year 1948, for "Miscellaneous salaries and expenses, field", $38,000. 61 Stat. 290.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1946, for "Salaries and expenses of marshals, and so forth", $154.71. 59 Stat. 183.

Salaries and expenses of marshals, and so forth: For an additional amount, fiscal year 1948, for "Salaries and expenses of marshals, and so forth", $65,000. 61 Stat. 290.

Fees of witnesses: For an additional amount, fiscal year 1948, for "Fees of witnesses", $50,000. *Ante*, p. 223.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For an additional amount, fiscal year 1949, for "Salaries and expenses, Immigration and Naturalization Service", $1,000,000. *Ante*, p. 319.

NATIONAL MILITARY ESTABLISHMENT

DEPARTMENT OF THE ARMY—MILITARY FUNCTIONS

CORPS OF ENGINEERS

Engineer Service, Army

Engineer Service: For an additional amount, fiscal year 1948, for "Engineer Service", including construction of buildings, utilities, and facilities, $32,700,000. *Ante*, pp. 223, 259.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

CORPS OF ENGINEERS

Flood control, general (emergency fund): For an additional amount, fiscal year 1949, for "Flood control, general (emergency fund)", $6,000,000, to remain available until expended. *Ante*, p. 1022.

Flood control, general: For an additional amount, fiscal year 1949, for "Flood control, general", including the objects specified under this head in the "Civil Functions Appropriation Act, 1949", $1,000,000, to be available until expended. *Ante*, p. 1022.

DEPARTMENT OF THE AIR FORCE

Acceptance of land.

The Secretary of the Air Force is hereby authorized in his discretion to accept in the name of the United States the tract of land

Restriction.

comprising the Valparaiso golf course at Valparaiso near Eglin Field, Florida: *Provided*, That no appropriated funds shall be used for the acquiring, maintenance, or upkeep of the golf course now on said lands or for the maintenance of any recreational activities placed thereon.

DEPARTMENT OF THE NAVY—NAVAL ESTABLISHMENT

BUREAU OF SUPPLIES AND ACCOUNTS

Pay and Subsistence of Naval Personnel

Transfer of funds.

60 Stat. 487, 491, 492.

Pay and subsistence of naval personnel: There are hereby transferred to the appropriation for "Pay and subsistence of naval personnel" in the Navy Department Appropriation Act, 1947, sums from appropriations for the Navy Department and the Naval Establishment for the fiscal year 1947, as follows:

"Transportation and recruiting of naval personnel", $25,000,000;

"Pay, Marine Corps", $17,000,000;

"General expenses, Marine Corps", $17,500,000.

BUREAU OF YARDS AND DOCKS

PUBLIC WORKS

Ante, p. 459.

53 Stat. 591.

Cost limitation on family quarters.

Contractor's fee.

Construction of authorized projects.

Ante, p. 459.

Public Works: For construction, installation, and equipment of temporary or permanent public works, including public utilities and appurtenances, and necessary lands and interests therein, as authorized by the Act of June 16, 1948 (Public Law 653), including group IV (b) personnel in the Bureau of Yards and Docks and other personal services necessary for the purposes of this appropriation; engineering and architectural services as authorized by section 3 of the Act of April 25, 1939 (34 U. S. C. 556); travel, and other necessary expenses; to remain available until expended, $51,337,200; and in addition, the Secretary of the Navy is authorized to enter into contracts for the purposes of this appropriation in an amount not exceeding $50,000,000: *Provided*, That this appropriation shall not be used for construction of family quarters for personnel at a cost per family unit in excess of $14,040, except that when such units are constructed outside the continental United States the average cost per unit of all such units constructed shall not exceed $25,850: *Provided further*, That the fixed fee to be paid the contractor as a result of any construction contract entered into under this appropriation shall not exceed 4 per centum of the estimated cost of the construction contract, exclusive of the fee, as determined by the Secretary of the Navy: *Provided further*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, only the following-named public works and public utilities projects, as authorized by law, and the amounts allocated to each such project from the appropriation and contract authorization herein shall not exceed the amount specified for each project enumerated, respectively;

CONTINENTAL UNITED STATES

Naval Air Station, Alameda, California: Test cells for turbine engines, $230,000;

Marine Training and Replacement Command, Camp Joseph H. Pendleton, Oceanside, California: Acquisition of land, five hundred and seventy-five acres, $46,500;

David Taylor Model Basin, Carderock, Maryland: Wind tunnels and associated facilities, $1,410,000;

Naval Amphibious Base, Little Creek, Virginia: Acquisition of land, four thousand acres, on Bloodsworth Island, Dorchester County, Maryland, $120,000;

Naval Supplementary Radio Station, Dupont, South Carolina: Radio operating building, $74,000;

Naval Ordnance Test Station, Inyokern, California:

Acquisition of land, sixty thousand acres, $70,000,

Aerodynamics field laboratory (Aerodynamics Range), $500,000,

Ground range, external ballistics, and electronics experimental installation, $408,000,

Seventy duplex houses (one hundred and forty family units), $2,000,000;

Naval Ammunition Depot, Lake Denmark, New Jersey: Liquid fuel rocket test laboratory, $306,000;

Naval Reserve Armory, Lawrence, Massachusetts: Acquisition of land, five and seven-tenths acres, $100;

Naval Reserve Armory, Lowell, Massachusetts: Acquisition of land, four acres, $800;

Naval Air Station, Mojave, California: Acquisition of land, twenty-eight acres, $500;

Naval Magazine, Montauk, Long Island, New York: Acquisition of land, forty-four acres, $53,300;

Naval Auxiliary Air Station, Oceana, Virginia: Acquisition of avigation easements over approximately four hundred acres of land, $46,000;

Naval Air Station, Patuxent River, Maryland: Facilities for bombing target, $309,000;

Naval Air Missile Test Center, Point Mugu, California: Sea test range, and test and evaluation facilities, including supporting facilities, services, and accessory construction, $14,000,000;

Naval Construction Battalion Center, Port Hueneme, California: Acquisition of land and improvements, sixty-two and forty-five one-hundredths acres, $150,000;

Naval Electronics Laboratory, Point Loma, San Diego, California: Laboratory supply and utility buildings, including services and accessories, $1,590,000;

Norfolk Naval Shipyard, Portsmouth, Virginia: Acquisition of land, four and eight hundred and fifty-seven one-thousandths acres, $4,370;

Naval Radio Station, Skaggs Island, Sonoma, California: Addition to radio operating building, $315,000;

Naval Supply Annex, Stockton, California: Acquisition of land (small island), three and eighty-eight one-hundredths acres, $1,800;

Aeronautical Turbine Laboratory, Trenton, New Jersey: Laboratory building and facilities, including collateral equipment and accessory construction, $13,000,000;

Naval Ordnance Laboratory, White Oak, Maryland:

Completion of the supersonic wind tunnels and aerodynamics range, $1,580,000;

Explosives research facility, $695,000;

Naval Unit, White Sands, Proving Ground, Las Cruces, New Mexico:

Additional housing facilities, $2,000,000,

Instrumentation of the one-hundred-mile range and camp facilities, $2,452,830;

Radio Transmitting Station (location to be determined): Radio transmission facilities, including collateral equipment and accessory construction, $4,000,000;

Naval Research Laboratory, Orlando, Florida: Underwater sound reference laboratory, $1,120,000;

Naval Air Station, Key West (Boca Chica), Florida: Acquisition of land, approximately one thousand acres, $60,000;

Various Locations—Continental United States: For correction of deficiencies in existing facilities and repairs incident to casualties thereto, $1,500,000;

OUTSIDE CONTINENTAL UNITED STATES

Naval Operating Base, Adak, Alaska:

Ship repair facilities, $306,000,

Cold storage building, ice cream plant, and milk facilities, $340,000,

Two storehouses, $1,300,000,

Dispensary, $340,000,

Utility distribution systems, including water, sewer, electric power, heating plant, roads, walks, and drainage, $2,700,000;

Naval Supplementary Radio Activity, Adak, Alaska: Operations building and associated facilities, $1,000,000;

Naval Radio Station, Adak, Alaska: Consolidated communication facilities, including buildings and accessories, $1,400,000;

Naval Operating Base, Argentia, Newfoundland: Water treatment plant, $92,700;

Naval Radio Station, Argentia, Newfoundland: Consolidated communication facilities, including buildings and accessories, $1,000,000;

Naval Radio Station, Greenland: Consolidated communication facilities, including buildings and accessories, $999,323;

Naval Operating Base, Guam:

Dredging and filling at Apra Harbor, $4,000,000,

Utility distribution systems, including electrical transmission steam generating plant, island water supply system, water storage and distribution, sewage and drainage systems and extension of roads, $6,000,000,

Barracks, messhall and galley, $1,677,777;

Naval Medical Center, Guam: Development of hospital facilities, including buildings and accessories, $5,000,000;

Naval Ammunition Depot, Guam: High explosive storage facilities and accessories, $1,000,000;

Naval Radio Station, Guam: Permanent communication facilities, including buildings and accessories, $1,500,000;

Naval Supply Center, Guam: Permanent facilities, including storage building, fuel pipe line, and accessories, $6,000,000;

Fleet Marine Force Base, Guam: Development of facilities, including buildings, service depot facilities and accessories, $4,000,000;

Submarine Base, Guam: Marginal bulkhead, including base site preparation and accessory construction, $1,670,000;

Naval Ammunition Depot, Oahu, Hawaii:

Acquisition of land, five hundred and twenty acres at Waikele and Kipapa Gulches, $70,000;

Acquisition of land at West Loch for barricaded sidings (one hundred fifty-nine and fourteen one hundredths acres), $200,000;

Naval Radio Station, Kodiak, Alaska: Consolidated communication facilities, including buildings and accessories, $1,390,000;

Naval Shipyard, Pearl Harbor, Hawaii:

Fire protection for Dry Dock No. 2, $92,700;

Modernization of waterfront lighting, $51,000;

Naval Base, Pearl Harbor, Hawaii: Water pumping station at Wahiawa Gulch, $2,500,000;

Naval Radio Station, Sabana Seca, Puerto Rico: Radio operating facilities, including collateral equipment, accessory construction and transfer of land, $3,294,000;

Naval Station, Roosevelt Roads, Puerto Rico: Acquisition of land—Culebra Island, $110,000;

Naval Operating Base, Saipan: Air intercept training facilities, $148,500;

Naval Radio Station, Summit, Canal Zone: Increase transmitter power output, $612,000;

Supplementary Naval Radio Activity, Wahiawa, Hawaii: Permanent facilities for supplemental radio activity accessories, $3,000,000;

Various locations—outside continental United States: For the correction of deficiencies in existing facilities and repairs incident to casualties thereto, $1,500,000.

POST OFFICE DEPARTMENT

(Out of the postal revenues)

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Printing and binding: For an additional amount, fiscal year 1948, for "Printing and binding", $25,000. *Ante*, p. 225.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Damage claims: For an additional amount, fiscal year 1948, for "Damage claims", $40,000. 61 Stat. 229.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Rural Delivery Service: For an additional amount, fiscal year 1948, for "Rural Delivery Service", $1,125,000. 61 Stat. 230.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Electric-car service: For an additional amount, fiscal year 1948, for "Electric-car service", $5,000, to be derived by transfer from the appropriation "Salaries, Office of the Chief Inspector", for said fiscal year. 61 Stat. 231. Transfer of funds.

Foreign mail transportation: For an additional amount, fiscal year 1948, for "Foreign mail transportation", $2,000,000. *Ante*, p. 226.

Balances due foreign countries: For an additional amount, fiscal year 1948, for "Balances due foreign countries", $5,000,000. 61 Stat. 231.

Indemnities, international mail: For an additional amount, fiscal year 1948, for "Indemnities, international mail", $15,000. 61 Stat. 231.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For an additional amount, fiscal year 1947, for "Manufacture and distribution of stamps and stamped paper", $54,000, to be derived by transfer 60 Stat. 583.

from the appropriation "Operating force, public buildings", for said fiscal year.

Manufacture and distribution of stamps and stamped paper: For an additional amount, fiscal year 1948, for "Manufacture and distribution of stamps and stamped paper", $758,000.

61 Stat. 231.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post Office stationery, equipment, and supplies: For an additional amount, fiscal year 1948, for "Post Office stationery, equipment, and supplies", $194,000.

Ante, p. 226.

Vehicle service: For an additional amount, fiscal year 1948, for "Vehicle service", $2,564,000.

Ante, p. 226.

Public Buildings, Maintenance and Operation

Operating supplies, public buildings: For an additional amount, fiscal year 1947, for "Operating supplies, public buildings", $20,150, to be derived by transfer from the appropriation for "Operating force, public buildings", for said fiscal year.

60 Stat. 585.

Operating supplies, public buildings: For an additional amount, fiscal year 1948, for "Operating supplies, public buildings", $230,500, to be derived by transfer from the appropriation for "Operating force, public buildings", for said fiscal year.

Ante, p. 226.

DEPARTMENT OF STATE

FOREIGN SERVICE

Salaries and expenses, Foreign Service: For an additional amount, fiscal year 1949, for "Salaries and expenses, Foreign Service", $1,000,000.

Ante, p. 306.

Living and quarters allowances, Foreign Service: For an additional amount, fiscal year 1949, for "Living and quarters allowances, Foreign Service", $250,000.

Ante, p. 307.

INTERNATIONAL ACTIVITIES

United States contributions to international commissions, congresses, and bureaus: For an additional amount, fiscal year 1948, for "United States contributions to international commissions, congresses, and bureaus", for the Pan American Sanitary Bureau, $47,932; and certain items under this head in the Department of State Appropriation Act, 1948, are amended as follows: The amount made available for the Cape Spartel and Tangier Light, Coast of Morocco, shall be available for the increased contribution required of the United States for the fiscal year 1947; the amount made available for the International Bureau of Weights and Measures is increased from "$8,314" to "$9,278" for the increased contribution required of the United States for the fiscal year 1947; the amount made available under the International Council of Scientific Unions and Associated Unions for the International Scientific Radio Union, is increased from "$392" to "$1,777"; and the amount made available for Inter-American Coffee Board is decreased from "$8,000" to "$6,251".

61 Stat. 282.

60 Stat. 453.

United States contributions to international commissions, congresses, bureaus: For an additional amount, fiscal year 1949, for Gorgas Memorial Laboratory, $50,000: *Provided*, That this appropriation is contingent upon the enactment of S. 2341, Eightieth Congress, second session.

Ante, p. 308; *post*, p. 1058.

Post, p. 1213.

United States participation in international organizations: For an additional amount, fiscal year 1949, for "United States participation

in international organizations", for the International Civil Aviation Organization, $3,750,000. *Ante*, p. 309.

United States participation in international organizations: For an additional amount, fiscal year 1949, for "United States participation in international organizations", for the World Health Organization (Act of June 14, 1948, Public Law 643), $1,915,000. *Ante*, p. 441.

International Boundary and Water Commission, United States and Mexico: The appropriation under this head in the Department of State Appropriation Act, 1949, shall be available for the purchase and exchange of map-reproduction machines and other construction, office, and engineering equipment and parts therefor; payment for official telephone service in the field in case of official telephones installed in private houses when authorized under regulations established by the Commission; and hire, with or without personal services, of aircraft. *Ante*, p. 310.

Salaries and expenses, American sections, international commissions: For an additional amount, fiscal year 1949, for "Salaries and expenses, American sections, international commissions", for special and technical investigations in connection with matters falling within the jurisdiction of the International Joint Commission, United States and Canada, $75,000. *Ante*, p. 311.

TREASURY DEPARTMENT

FISCAL SERVICE

BUREAU OF ACCOUNTS

Contingent expenses, public moneys: For an additional amount, fiscal year 1948, for "Contingent expenses, public moneys", $12,000, to be derived by transfer from the appropriation "Refunds under Renegotiation Act, 1948". 61 Stat. 218. 61 Stat. 623.

BUREAU OF ENGRAVING AND PRINTING

Salaries and expenses: For an additional amount, fiscal year 1949, for "Salaries and expenses", $365,000. *Ante*, p. 412.

BUREAU OF FEDERAL SUPPLY

The unexpended balances of the funds advanced to the Bureau of Federal Supply from the appropriation for "Salaries and expenses" of the Office of Scientific Research and Development in the National War Agencies Appropriation Act, 1946, for furnishing summary technical reports, shall remain available during the fiscal year 1949 for the liquidation of obligations incurred prior to July 1, 1948. Liquidation of obligations. 59 Stat. 475.

Strategic and critical materials: For necessary expenses in carrying out the provisions of the Strategic and Critical Materials Stock Piling Act of July 23, 1946, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and printing and binding; $300,000,000, to be immediately available and to remain available until expended, of which $75,000,000 is for liquidation of obligations incurred pursuant to authority granted under this head in the Supplemental Appropriation Act, 1948; and in addition to the amount herein appropriated, contracts may be entered into for the purposes of the said Act of July 23, 1946, in an amount not in excess of $300,000,000: *Provided*, That any funds received as proceeds from sale or other disposition of materials on account of the rotation of stocks under said Act shall be deposited to the credit, and be available for expenditure for the purposes, of this appropriation: *Provided further*, That during the fiscal year 1949, in accordance with subsection 6 (a) of the Act of July 23, 1946 (60 Stat. 598), surplus 60 Stat. 596. 50 U. S. C. §§ 98–98h; Supp. I, § 98 note. *Post*, p. 1101. 60 Stat. 810. Liquidation of obligations. 61 Stat. 624. 60 Stat. 596. 50 U. S. C. §§ 98–98h; Supp. I, § 98 note. *Post*, p. 1101. Transfer of surplus material. 50 U. S. C. § 98e (a).

strategic and critical materials, not to exceed in value the amount of $175,000,000, may be transferred to stock piles established in accordance with said Act.

COAST GUARD

Acquisition, construction, and improvements: For an additional amount under the title "Acquisition, construction, and improvements, Coast Guard", for replacement or rebuilding of aids to navigation and shore facilities, $300,000, to remain available until expended.

TITLE II—CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS

SEC. 201. For payment of claims for damages as settled and determined by departments and agencies in accord with law, audited claims certified to be due by the General Accounting Office, and judgments rendered against the United States by United States district courts and the United States Court of Claims, as set forth in Senate Document Numbered 177 and House Document Numbered 690, Eightieth Congress, $15,231,868.15, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or in certain of the settlements of the General Accounting Office or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall have become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That, unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

Penalty Mail Act of 1948.

TITLE III—PENALTY MAIL

Procurement of envelopes, etc.

SEC. 301. All envelopes, labels, wrappers, cards, and other articles, bearing the indicia prescribed by law for matter mailed free of postage under the penalty privilege by all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, shall be procured or accounted for through the Postmaster General under such regulations as he shall prescribe. The head of each such department, agency, establishment, or other organization, or each such person, shall submit to the Postmaster General within sixty days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing such indicia on hand at the close of such fiscal year.

Annual statement to Postmaster General.

Annual report to Congress and Bureau of the Budget.

SEC. 302. The Postmaster General shall report to the Congress and to the Bureau of the Budget within ninety days after the close of each fiscal year the number of envelopes, labels, wrappers, cards, and other articles bearing such penalty indicia procured or accounted for through him during such fiscal year by each executive department and agency, by each independent establishment, and by each organization and person authorized by law to use the penalty privilege.

Weight limitation.

SEC. 303. No article or package of official matter, or number of articles or packages of official matter constituting in fact a single shipment, exceeding four pounds in weight shall be admitted to the mails under the penalty privilege, except (1) stamped paper and supplies sold or used by the postal service; and (2) books and documents published or circulated by order of Congress when mailed by the Superintendent of Public Documents or under the franking privilege.

Fourth-class matter.

SEC. 304. (a) Official matter not within the provisions of section 303 which is over four pounds in weight, if otherwise mailable, whether

sealed or unsealed, including written matter, shall, if such matter does not exceed the limit of weight or size prescribed for fourth-class matter, be accepted for mailing upon the payment of postage at fourth-class rates.

Transportation of official matter.

(b) Shipments of official matter shall be sent by the most economical means of transportation practicable, and the Postmaster General may refuse to accept any such matter for shipment by mail when in his judgment it is in the public interest that it be forwarded by other means at less expense.

Information to be supplied.

SEC. 305. All executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, are directed to supply as soon as practicable, all necessary information requested by the Post Office Department to carry out the provisions of this Act.

Restriction on use of penalty privilege.

SEC. 306. No executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. The head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Public Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16 U. S. C.: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

Agricultural bulletins, etc.

49 Stat. 859. Nonapplicability.

39 U. S. C. § 321b; Supp. I, § 321b note. 58 Stat. 394. 39 U. S. C. §§ 321c-321h; Supp. I, § 321g note.

SEC. 307. Section 6 of the Act of May 6, 1939 (53 Stat. 683), as amended, and Public Law 364 approved June 28, 1944, are hereby repealed.

Appropriation authorized.

SEC. 308. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Citation of title.

SEC. 309. This title shall take effect July 1, 1948, and may be cited as the "Penalty Mail Act of 1948".

TITLE IV—GENERAL PROVISIONS

Incorporation of Renegotiation Act of 1948 in contracts.

SEC. 401. The Secretary of Defense is authorized and directed, whenever in his judgment the best interests of the United States so require, to direct the insertion of a clause incorporating the Renegotiation Act of 1948 in any contracts for the procurement of ships, aircraft, aircraft parts, and the construction of facilities or installations outside

Ante, p. 259.

continental United States entered into by or in behalf of the Department of the Army, the Department of the Navy or the Department of the Air Force which obligates any funds made available for obligation in the fiscal year 1949.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 402. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence:

Affidavit.

Provided, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence:

Penalty.

Provided further, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Short title.

SEC. 403. This Act may be cited as the "Second Deficiency Appropriation Act, 1948."

Approved June 25, 1948.

[CHAPTER 672]

June 26, 1948
[S. 1853]
[Public Law 786]

AN ACT

To authorize the Coast Guard to establish, maintain, and operate aids to navigation.

Coast Guard.
Aids to navigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

Loran stations.

(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States as determined by the Administrator of Civil Aeronautics.

Cooperation of Administrator of Civil Aeronautics.

SEC. 2. The Coast Guard in establishing, maintaining, or operating any aids to air navigation herein provided shall solicit the cooperation

of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage. Before locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this Act shall be deemed to limit the authority granted by the provisions of section 77 of the Act of January 12, 1895 (28 Stat. 621), or by section 5 (f) of the Air Commerce Act of 1926 (49 U. S. C. 175), or by title III of Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451 and the following).

Consent prior to establishment of aid.

5 U. S. C. § 458.

44 Stat. 571.

52 Stat. 985.
49 U. S. C. §§ 451-458.

SEC. 3. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established on the date of the enactment of this Act.

Post, pp. 1093, 1216.
Other aids to navigation.

Approved June 26, 1948.

[CHAPTER 673]

AN ACT

To amend section 5 of the Act entitled "An Act to amend the laws relating to navigation, and for other purposes."

June 26, 1948
[S. 2186]
[Public Law 787]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An act to amend the laws relating to navigation, and for other purposes", approved May 28, 1908, as amended (U. S. C., title 46, sec. 104), is amended (1) by striking out the words "yachts belonging to any regularly organized yacht club of the United States", and inserting in lieu thereof "yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States", and (2) by striking out the words "belonging to any regularly organized yacht club thereof", and inserting in lieu thereof "used and employed exclusively as pleasure vessels".

Navigation.
Yachts.

35 Stat. 425.

Approved June 26, 1948.

[CHAPTER 674]

AN ACT

To provide for the acceptance on behalf of the United States of a statue of General Jose Gervasio Artigas, and for other purposes.

June 26, 1948
[S. 2591]
[Public Law 788]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept on behalf of the United States the bronze statue of General Jose Gervasio Artigas, as a gift from the people of Uruguay, and erect the same on a suitable site to be selected by the Director of the National Park Service, Department of the Interior, with the approval of the Commission of Fine Arts and the National Capital Park and Planning Commission, in a public park or other federally owned property in the District of Columbia. Such statue shall not be erected until the plans and specifications for the pedestal and landscaping have been submitted to and approved by the Commission of Fine Arts. The preparation of the plans and specifications for the pedestal and landscaping and the erection of

Statue of Gen. Jose Gervasio Artigas.
Acceptance for U. S.

Submission of plans for approval.

the statue shall be under the supervision of the Director of the National Park Service.

Appropriation authorized.

SEC. 2. There is authorized to be appropriated such funds as may be necessary to carry out the provisions of this Act, including the design and construction of a suitable pedestal for such statue, the landscaping of the adjacent area, and the necessary plans therefor.

Approved June 26, 1948.

[CHAPTER 675]

JOINT RESOLUTION

June 26, 1948
[H. J. Res. 190]
[Public Law 789]

Authorizing the printing and binding of Cannon's Procedure in the House of Representatives and providing that the same shall be subject to copyright by the author.

Cannon's Procedure in House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be printed and bound for the use of the House one thousand five hundred copies of Cannon's Procedure in the House of Representatives, by Clarence Cannon, to be printed under the supervision of the author and to be distributed to the Members by the Speaker.

SEC. 2. That, notwithstanding any provision of the copyright laws and regulations with respect to publications in the public domain, Cannon's Procedure in the House of Representatives shall be subject to copyright by the author thereof.

Approved June 26, 1948.

[CHAPTER 676]

AN ACT

June 26, 1948
[H. R. 3218]
[Public Law 790]

To authorize an emergency fund for the Bureau of Reclamation to assure the continuous operation of its irrigation and power systems.

Bureau of Reclamation.
Emergency fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assure continuous operation of irrigation or power systems operated and maintained by the Bureau of Reclamation, Department of the Interior, there is hereby authorized to be appropriated from the reclamation fund an emergency fund which shall be available for defraying expenses which the Commissioner of Reclamation determines are required to be incurred because of unusual or emergency conditions.

"Unusual or emergency conditions."

SEC. 2. The term "unusual or emergency conditions", as used in this Act, shall be construed to mean canal bank failures, generator failures, damage to transmission lines; or other physical failures or damage, or acts of God, or of the public enemy, fires, floods, drought, epidemics, strikes, or freight embargoes, or conditions, causing or threatening to cause interruption in water or power service.

Approved June 26, 1948.

[CHAPTER 677]

AN ACT

June 26, 1948
[H. R. 6039]
[Public Law 791]

To authorize the permanent appointment in the Regular Army of one officer in the grade of general and to authorize the permanent appointment in the Regular Air Force of one officer in the grade of general, and for other purposes.

Regular Army and Air Force.
Appointment of generals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, by and with the advice and consent of the Senate, to appoint in the Regular Army one officer in the permanent grade of general from among any officers on the active list of the Regular Army

who served in the temporary grade of general from March 29, 1945, to the present date, and who successfully commanded an Army group composed of as many as four Armies in the field against the enemy from August 1, 1944, to August 15, 1945. The President is further authorized, by and with the advice and consent of the Senate, to appoint in the Regular Air Force one officer in the permanent grade of general from among any officers on the active list of the Regular Air Force who served in the temporary grade of general from March 29, 1945, to the present date, and commanded the United States Army Strategic Air Force, European Theater of Operations, from January 1, 1944, to March 1, 1946. The President is further authorized, by and with the advice and consent of the Senate, to appoint in the Regular Navy one officer in the permanent grade of admiral from among any officers on the active list of the Regular Navy who served in the temporary grade of admiral from February 4, 1944, to the present date, and commanded a major combatant unit of the United States Fleet in the Pacific Theater of Operations during all or any part of the Second World War. Any officer appointed under the provisions of this section who hereafter may be retired, shall be entitled to have his name placed on the retired list with the highest grade or rank held by him while on the active list and shall be entitled to receive the same pay and allowances while on the retired list as authorized by law for officers on the active list serving in the grade of general.

Regular Navy. Appointment of admiral.

Retirement.

Approved June 26, 1948.

[CHAPTER 678]

AN ACT

To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

June 26, 1948
[H. R. 6556]
[Public Law 792]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Trade Agreements Extension Act of 1948".

Trade Agreements Extension Act of 1948.

SEC. 2. The period during which the President is authorized to enter into foreign trade agreements under section 350 of the Tariff Act of 1930, as amended (U. S. C., 1946 edition, title 19, sec. 1351), is hereby extended from June 12, 1948, until the close of June 30, 1949.

48 Stat. 943.
19 U. S. C., Supp. I, § 1351 note.

SEC. 3. (a) Before entering into negotiations concerning any proposed foreign trade agreement under section 350 of the Tariff Act of 1930, as amended, the President shall furnish the United States Tariff Commission (hereinafter in this Act referred to as the "Commission") with a list of all articles imported into the United States to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment. Upon receipt of such list the Commission shall make an investigation and report to the President the findings of the Commission with respect to each such article as to (1) the limit to which such modification, imposition, or continuance may be extended in order to carry out the purpose of such section 350 without causing or threatening serious injury to the domestic industry producing like or similar articles; and (2) if increases in duties or additional import restrictions are required to avoid serious injury to the domestic industry producing like or similar articles the minimum increases in duties or additional import restrictions required. Such report shall be made by the Commission to the President not later than 120 days after the receipt of such list by the Commission. No such foreign trade agreement shall be entered into until the Commission has made its report to the President or until the expiration of the 120-day period.

Furnishing of list, etc., by President.

Report to President.

Restriction.

Hearings.

(b) In the course of any investigation pursuant to this section the Commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings.

(c) Section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (U. S. C., 1946 edition, title 19, sec. 1354), is hereby amended by striking out the matter following the semicolon and inserting in lieu thereof the following: "and before concluding such agreement the President shall request the Tariff Commission to make the investigation and report provided for by section 3 of the Trade Agreements Extension Act of 1948, and shall seek information and advice with respect to such agreement from the Departments of State, Agriculture, and Commerce, from the National Military Establishment, and from such other sources as he may deem appropriate."

48 Stat. 945.

Ante, p. 1053.

Furnishing of information by Commission.

SEC. 4. The Commission shall furnish facts, statistics, and other information at its command to officers and employees of the United States preparing for or participating in the negotiation of any foreign trade agreement; but neither the Commission nor any member, officer, or employee of the Commission shall participate in any manner (except to report findings, as provided in section 3 of this Act and to furnish facts, statistics, and other information as required by this section) in the making of decisions with respect to the proposed terms of any foreign trade agreement or in the negotiation of any such agreement.

Restriction on participation in decisions.

48 Stat. 943. 19 U. S. C. § 1351; Supp. I, § 1351 note.

SEC. 5. (a) Within thirty days after any trade agreement under section 350 of the Tariff Act of 1930, as amended, has been entered into which, when effective, will (1) require or make appropriate any modification of duties or other import restrictions, the imposition of additional import restrictions, or the continuance of existing customs or excise treatment, which modification, imposition, or continuance will exceed the limit to which such modification, imposition, or continuance may be extended without causing or threatening serious injury to the domestic industry producing like or similar articles as found and reported by the Tariff Commission under section 3, or (2) fail to require or make appropriate the minimum increase in duty or additional import restrictions required to avoid such injury, the President shall transmit to Congress a copy of such agreement together with a message accurately identifying the article with respect to which such limits or minimum requirements are not complied with, and stating his reasons for the action taken with respect to such article. If either the Senate or the House of Representatives, or both, are not in session at the time of such transmission, such agreement and message shall be filed with the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be.

Copy of agreement to Congress.

Deposit of Commission report with Congressional committees.

(b) Promptly after the President has transmitted such foreign trade agreement to Congress the Commission shall deposit with the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, a copy of its report to the President with respect to such agreement.

Approved June 26, 1948.

[CHAPTER 685]

June 28, 1948
[H. R. 6801]
[Public Law 793]

AN ACT

Making appropriations for foreign aid, and for other purposes.

Foreign Aid Appropriation Act, 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following

sums are appropriated, out of any money in the Treasury not otherwise appropriated, for foreign aid for such periods as are specified herein ending not later than June 30, 1949, and for other purposes, namely:

TITLE I

ECONOMIC COOPERATION

For expenses necessary to carry out the provisions of the Economic Cooperation Act of 1948 (title I of Public Law 472, approved April 3, 1948) until June 30, 1949: *Provided*, That the entire amount may be apportioned for obligation or may be obligated and expended, if the President, after recommendation by the Administrator, deems such action necessary to carry out the purposes of said Act, during the period ending April 2, 1949, including expenses of attendance at meetings concerned with the purposes of this appropriation (not to exceed $60,000); purchase (not to exceed fifty including one at not to exceed $3,000) and hire of passenger motor vehicles; hire of aircraft; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); health service program as authorized by law (5 U. S. C. 150); rents in the District of Columbia; transportation of privately owned automobiles; entertainment (not to exceed $50,000); exchange of funds without regard to section 3651 of the Revised Statutes; and loss by exchange; $4,000,000,000, of which not to exceed $200,000 shall be available for expenditures of a confidential character (other than entertainment) under the direction of the Administrator or the Deputy Administrator, who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the amount therein certified; and of which such amount as may be necessary but not to exceed $20,000,000 shall be available for assistance to the Free Territory of Trieste or either of its zones under the provisions of Public Law 389, Eightieth Congress, first session, until the Free Territory of Trieste or either of its zones becomes eligible for assistance under the Economic Cooperation Act of 1948, which amount shall be charged with any advances made heretofore by the Reconstruction Finance Corporation pursuant to section 103 (b) of the Economic Cooperation Act of 1948, and the Administrator is hereby authorized to repay the Reconstruction Finance Corporation for advances pursuant to section 103 (b) from the sum available for assistance to Trieste or either of its zones under this section: *Provided further*, That not less than 5 per centum of each special local currency account established pursuant to section 115 (b) (6) of the Economic Cooperation Act of 1948 shall be allocated to the use of the United States Government for expenditure for strategic materials where available or for other local currency requirements of the United States of America: *Provided further*, That allocations of funds provided pursuant to provisions of the Economic Cooperation Act of 1948 for Austria and any country under occupation by forces of the United States shall be made to the United States Military Government of such countries for administrative and other expenses: *Provided*, That where the Economic Cooperation Administrator requests the United States military authorities to perform certain functions under the Act, the Economic Cooperation Administrator shall reimburse the military authorities for administrative expenses incurred in the performance of such functions: *Provided further*, That not to exceed $58,000,000 may be expended for administrative and other expenses including not to exceed $12,000,000 for direct administration and not to exceed $6,000,000 for technical assistance authorized under section 111 (a) (3) of the Economic Cooperation Act of 1948: *Provided further*,

Ante, p. 137.

60 Stat. 843.
Ante, p. 1008.
60 Stat. 903.

31 U. S. C. § 543.

Trieste.

61 Stat. 934.
22 U. S. C., Supp. I, § 1411 and note.
Ante, p. 137.

Ante, p. 138.
Repayment to RFC.

Allocation of local currency for U. S. use.

Ante, p. 151.

Reimbursement of military authorities.

Ante, p. 144.

Ante, p. 153.
Transportation rates of relief packages.

That pursuant to section 117 (c) of the Foreign Assistance Act of 1948, the Administrator shall fix and pay a uniform rate per pound for the ocean transportation of all relief packages of food or other general classification of commodities shipped to any participating foreign country, regardless of methods of shipment and higher rates charged by particular agencies of transportation, but this proviso shall not apply to shipments made by individuals to individuals: *Provided further*, That guaranties of investments in enterprises producing or distributing informational media provided for under section 111 (b) (3) of the Economic Cooperation Act of 1948, or otherwise, shall not exceed $10,000,000 in the first year: *Provided further*, That there shall be included within the local currency administrative expenditures of the United States such sums as may be necessary to meet expenditures of members and staff of the Joint Committee on Foreign Economic Cooperation in the course of performance of committee functions within respective participating countries.

Limitation on certain investment guaranties.
Ante, p. 144.

Joint Committee on Foreign Economic Cooperation.
Ante, pp. 157, 213, 1027.

INTERNATIONAL CHILDREN'S EMERGENCY FUND

To enable the President during the fiscal year 1949 to carry out the provisions of the International Children's Emergency Fund Assistance Act of 1948 (title II of Public Law 472, approved April 3, 1948), $35,000,000.

Ante, p. 157.

ASSISTANCE TO GREECE AND TURKEY

For an additional amount for "Assistance to Greece and Turkey", as authorized by the Act of May 22, 1947 (Public Law 75) as amended and supplemented by the Greek-Turkish Assistance Act of 1948 (title III of Public Law 472, approved April 3, 1948), $225,000,000, which, together with the amount heretofore appropriated under this head, shall remain available until June 30, 1949; and the limitation under this head in the Supplemental Appropriation Act, 1948, on the amount available for administrative expenses, is increased from $4,500,000" to "$4,900,000", and the limitation under said head on the amount available for such expenses in the District of Columbia is increased from "$300,000" to "$400,000": *Provided*, That said limitations shall apply only to the administrative expenses of the Department of State: *Provided further*, That any funds heretofore or hereafter allocated under authority contained in section 2 (a) of the Act of May 22, 1947 (Public Law 75), as amended, shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, or independent establishment to which allocated, but this proviso shall not operate to increase the limitation heretofore provided for administrative expenses.

61 Stat. 103.
22 U. S. C., Supp. I, §§ 1401–1408.
Ante, p. 157.
61 Stat. 613.
Applicability of limitations.
61 Stat. 104.
22 U. S. C., Supp. I, § 1402 (a).

ASSISTANCE TO CHINA

For expenses necessary to carry out the provisions of the China Aid Act of 1948 (title IV of Public Law 472, approved April 3, 1948), until April 2, 1949, including expenses of attendance at meetings concerned with the purposes of this appropriation; purchase and hire of passenger motor vehicles; purchase, maintenance, and operation of aircraft; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); health service program as authorized by law (5 U. S. C. 150); transportation of privately owned automobiles; entertainment (not to exceed $3,000); exchange of funds without regard to section 3651 of the Revised Statutes; and loss by exchange; $400,000,000, of which not to exceed $1,200,000 shall be available for administrative expenses and of which $125,000,000 shall be available exclusively as provided in subsection 404 (b) of said Act.

Ante, p. 158.
60 Stat. 843.
Ante, p. 1008.
60 Stat. 903.
31 U. S. C. § 543.
Ante, p. 159.

NATIONAL MILITARY ESTABLISHMENT

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

GOVERNMENT AND RELIEF IN OCCUPIED AREAS

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government or occupation of certain foreign areas, including personal services in the District of Columbia and elsewhere and, subject to such authorization and limitations as the Secretary of the Army may prescribe, not to exceed $220,000 may be available for tuition, personal allowances (not to exceed $10 per day), travel expenses (not to exceed those authorized for like United States military or civilian personnel), and fees incident to instruction in the United States or elsewhere of such persons as may be required to carry out the provisions of this appropriation; travel expenses and transportation; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates not in excess of $50 per day and travel expenses for individuals; translation rights, photographic work, educational exhibits, and dissemination of information, including preview and review expenses incident thereto; expenses incident to the operation of schools for American children; printing and binding; hire of passenger motor vehicles and aircraft; repair and maintenance of buildings, utilities, facilities, and appurtenances; contingencies for the United States commanders of foreign areas, to be expended in their respective discretions (not exceeding amounts authorized or approved by the Secretary of the Army); such minimum supplies for the civilian populations of such areas as may be essential to prevent starvation, disease, or unrest, prejudicial to the objectives sought to be accomplished, and such supplies, commodities, and equipment as may be essential to carry out the purposes of this appropriation; $1,300,000,000, of which not to exceed $55,000,000 shall be available for administrative expenses: *Provided*, That when military personnel of the Department of the Army are employed primarily for the purposes of this appropriation, the mileage and other travel allowances to which they may be entitled shall be paid herefrom: *Provided further*, That the general provisions of the appropriation Act for the fiscal year 1949 for the military functions of the Department of the Army shall apply to this appropriation: *Provided further*, That expenditures from this appropriation may be made outside continental United States, when necessary to carry out its purposes, without regard to sections 355, 1136, 3648, and 3734, Revised Statutes, as amended, civil-service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That expenditures from this appropriation may be made, when necessary to carry out its purposes, without regard to section 3709, Revised Statutes, as amended, and the Armed Services Procurement Act of 1947 (Public Law 413, Eightieth Congress): *Provided further*, That expenditures may be made hereunder for the purposes of economic rehabilitation in Japan, Korea, and the Ryukyus in such manner as to be consistent with the general objectives of the Economic Cooperation Act of 1948: *Provided further*, That funds appropriated hereunder and unexpended at the time of the termination of occupation by the United States, of any area for which such funds are made available, may be expended by the President for the procurement of such commodities and technical services, and commodities procured from funds herein or heretofore appropriated for government and relief in occupied areas and not delivered to such an area prior to the time of the termination of occupation, may be utilized by the President, as may be necessary to assist in the

Tuition.

60 Stat. 810.

Minimum supplies for civilian populations.

Administrative expenses.

Travel allowances.

Ante, p. 1025.

40 U. S. C. § 255; 10 U. S. C. § 1339; 31 U. S. C. § 529; 40 U. S. C. §§ 259, 267.
Ante, p. 381.

41 U. S. C. § 5.
Ante, p. 21.

Economic rehabilitation in Japan, Korea, and the Ryukyus.

Ante, p. 137.

Procurement of commodities and technical services.

Bilateral agreement.

maintenance of the political and economic stability of such areas: *Provided further*, That before any such assistance is made available, an agreement shall be entered into between the United States and the recognized government or authority with respect to such area containing such undertakings by such government or authority as the President may determine to be necessary in order to assure the efficient use of such assistance in furtherance of such purposes: *Provided further*, That such agreement shall, where applicable, include requirements and undertakings corresponding to the requirements and undertakings specified in sections 5, 6, and 7 of the Foreign Aid Act of 1947 (Public Law 389, 80th Congress): *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as prescribed by the Secretary of the Army, to pay ocean transportation charges from United States ports, including territorial ports, to ports in Japan, Korea, and the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such countries: *Provided further*, That under the rules and regulations to be prescribed, the Secretary of the Army shall fix and pay a uniform rate per pound for the ocean transportation of all relief packages of food or other general classification of commodities shipped to Japan, Korea, or the Ryukyus regardless of methods of shipment and higher rates charged by particular agencies of transportation, but this proviso shall not apply to shipments made by individuals to individuals: *And provided further*, That the Joint Committee on Foreign Economic Cooperation established pursuant to provisions of section 124 (a) of the Economic Cooperation Act of 1948 shall have the same duties, powers, and responsibilities with respect to programs carried out by appropriations for Government and Relief in Occupied Areas as it has with respect to programs under the Economic Cooperation Act of 1948.

61 Stat. 935-937.
22 U. S. C., Supp. I, § 1411 note.
Payment of certain transportation charges.

Transportation rates on relief packages.

Authority of Joint Committee on Foreign Economic Cooperation.
Ante, p. 156.

Ante, p. 137.

DEPARTMENT OF STATE

INTERNATIONAL ACTIVITIES

Ante, pp. 308, 1046.

United States participation in international organizations: For expenses necessary for United States participation in international organizations, including payment of the annual contributions, quotas, and assessments, and costs of permanent United States representation to such organizations, in not to exceed the respective amounts as follows:

61 Stat. 214.
22 U. S. C., Supp. I, §§ 289-289d.
Limitation on use of funds.

International Refugee Organization (Public Law 146, Eightieth Congress), $70,710,228, of which amount $70,643,728 shall be available for contribution: *Provided*, That not to exceed 60 per centum of the funds appropriated herein shall be available for contribution to the International Refugee Organization until such time as there are effected agreements providing for a caloric diet for the occupants of refugee camps in Europe that is no higher than that prevailing in the country in which such camps are located.

TITLE II—GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 201. No part of any appropriation contained in this title shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence:

Provided, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this title shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

SEC. 202. No funds made available under the authority of this Act shall be used for the purchase in bulk of any commodities (other than commodities procured by or in the possession of the Commodity Credit Corporation pursuant to Act of July 1, 1941 (55 Stat. 498), as amended), at prices higher than the market price prevailing in the United States at the time of the purchase adjusted for differences in the cost of transportation to destination, quality, and terms of payment: *Provided*, That no funds available under this Act shall be used for the purchase of wool other than from existing stocks owned by the Commodity Credit Corporation, unless or until such stocks are exhausted.

Purchase price of commodities.

15 U. S. C. §§ 713, 713a-1, 713a-4, 713a-8; Supp. I, §§ 713, 713a-4, 713a-8.

Post, p. 1248.

Restriction on purchase of wool.

SEC. 203. No part of the funds herein appropriated shall be used to purchase farm machinery, including tractors, in the United States in an amount which will bring the total exports of such machinery and tractors during the period for which this appropriation is made, from the United States, by or for the benefit of the countries participating in the European recovery program, to more than $75,000,000.

Farm machinery.

SEC. 204. Whenever an export license for a commodity, the production or shipment of which to a nonparticipating country was contracted for in good faith prior to March 1, 1948, is denied or cannot be obtained under section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, the Administrator shall provide for the procurement of such commodity to transfer to a participating country in accordance with the requirements of such country, at not less than the contract price of such commodity to the producer or exporter, as the case may be, including any cost incurred in converting the commodity to meet the requirements of the participating country.

Procurement of commodities denied export licenses.

50 U. S. C. app. § 701; Supp. I, § 701.

SEC. 205. Not less than 50 per centum of the United States export requirements of nitrogenous fertilizer materials or nitrogenous compounds (including anhydrous ammonia) for nonoccupied areas shall come from production of plants operated by or for the Department of the Army.

Nitrogenous fertilizer materials, etc.

In addition, the Department of the Army shall make available, for the commercial production of nitrogenous fertilizer materials for domestic use, 10 per centum of the total anhydrous ammonia produced in the United States in plants operated by or for the Department of the Army, said anhydrous ammonia to be distributed as directed by the Department of Commerce, which shall give preference, in distributing said anhydrous ammonia, to producers of

Anhydrous ammonia for commercial production.

Priority.

ammonium sulphate who were producing ammonium sulphate during the six months preceding the enactment of this Act or who shall have ceased to produce, or shall be faced with an imminent shutdown in the production of, ammonium sulphate for want of anhydrous ammonia, to the extent necessary to permit such producers to operate. The Department of the Army is hereby authorized to produce and sell, in addition to its production for occupied areas, such nitrogenous fertilizer materials or nitrogenous compounds (including anhydrous ammonia) required for United States exports to nonoccupied areas or for the production of nitrogenous fertilizer materials for domestic use and to credit the proceeds of such sales to the appropriation for Government and Relief in Occupied Areas to the extent of the cost of such production for such sales and any balance to miscellaneous receipts of the Treasury.

Production and sale of nitrogenous fertilizer materials by Department of Army.

SEC. 206. No funds made available under this Act shall be used by any governmental agency for the purpose of building additional commercial manufacturing plants in the United States.

Commercial manufacturing plants in U. S.

SEC. 207. This Act may be cited as the "Foreign Aid Appropriation Act, 1949".

Short title.

Approved June 28, 1948.

[CHAPTER 686]

JOINT RESOLUTION

June 28, 1948
[S. J. Res. 177]
[Public Law 794]

Providing for participation by the Government of the United States in the Pan American Railway Congress, and authorizing an appropriation therefor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the Government of the United States in, and to appoint the United States delegates and their alternates to, the Pan American Railway Congress, the constitution and bylaws of which were approved in Montevideo, Uruguay, April 1946, and deposited in the archives of the Pan American Union in Washington.

Pan American Railway Congress.
Acceptance of membership for U. S.

SEC. 2. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated—

Appropriation authorized.

(a) Not more than $5,000 annually for the payment by the United States of its proportionate share of the expenses of the Pan American Railway Congress and its Permanent Commission; and

Additional sums.

(b) Such additional sums as may be needed for the payment of all necessary expenses incident to participation by the United States in the activities thereof, including expenses of the United States delegates, their alternates, and appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b).

42 Stat. 1488.
5 U. S. C. §§ 661–674.

60 Stat. 810.
5 U. S. C. § 55a.

40 Stat. 1270.
41 U. S. C. § 5.

60 Stat. 714.
22 U. S. C. § 287r.

Approved June 28, 1948.

[CHAPTER 687]

AN ACT

To provide for the establishment of the Independence National Historical Park, and for other purposes.

June 28, 1948
[H. R. 5053]
[Public Law 795]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving for the benefit of the American people as a national historical park certain historical structures and properties of outstanding national significance located in Philadelphia, Pennsylvania, and associated with the American Revolution and the founding and growth of the United States, the Secretary of the Interior, following the consummation of agreements with the city of Philadelphia and the Carpenters' Company of Philadelphia as prescribed in section 2 of this Act, is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property, real or personal, within the following-described areas, such park to be fully established as the "Independence National Historical Park" when, in the opinion of the Secretary, title to sufficient of the lands and interests in lands within such areas, shall be vested in the United States: *Provided*, That the park shall not be established until title to the First United States Bank property, the Merchants' Exchange property, the Bishop White house, the Dilworth-Todd-Moylan house, and the site of the Benjamin Franklin house, together with two-thirds of the remaining lands and interests in lands within the following-described areas, shall have been vested in the United States:

Independence National Historical Park, Pa.

Infra.

Acquisition of property.

Restriction.

(a) An area of three city blocks bounded generally by Walnut Street, Fifth Street, Chestnut Street, and Second Street, but excluding the new United States customhouse at the southeast corner of Second and Chestnut Streets, identified as "project A", as described in the report of the Philadelphia National Shrines Park Commission, dated December 29, 1947.

"Project A."

(b) A memorial thoroughfare, or mall, extending generally from the south side of Walnut Street to the north side of Manning Street, identified as part of "project B" in the report of the Commission.

"Project B."

(c) The site of the residence of Benjamin Franklin, and related grounds, comprising approximately a one-hundred-foot-wide strip, extending southward from Market Street approximately three hundred feet between Third and Fourth Streets, and encompassing a portion of Orianna Street, identified as "project C" in the report of the Commission.

"Project C."

(d) Certain land and buildings immediately adjacent to Christ Church, situated on the west side of Second Street, and north of Market Street, identified as "project E" in the report of the Commission: *Provided*, That the Secretary of the Interior first enter into an agreement with the proprietor or proprietors of said property (Christ Church), said agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as a national shrine, without any limitation or control over its use for customary church purposes.

"Project E."

Agreement with proprietors of Christ Church.

SEC. 2. In furtherance of the general purposes of this Act as prescribed in section 1 hereof, the Secretary of the Interior is authorized to enter into cooperative agreements with the city of Philadelphia to assist in the preservation and interpretation of the property known as the Independence Hall National Historic Site and with the Carpenters' Company of Philadelphia to assist in the preservation and interpretation of Carpenters' Hall, in connection with the Independence National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary of the Interior,

Cooperative agreements.

through the National Park Service, shall have right of access at all reasonable times to all public portions of the property now within Independence Hall National Historic Site and to Carpenters' Hall for the purpose of conducting visitors through such buildings and grounds and interpreting them to the public, that no changes or alterations shall be made in the property within the Independence Hall National Historic Site, including its buildings and grounds, or in Carpenters' Hall, except by mutual agreement between the Secretary of the Interior and the other parties to the contracts.

Construction of offices, etc.

SEC. 3. The Secretary of the Interior, in his discretion, is authorized to construct upon a portion of the land described in section 1 of this Act, or upon other land that may be donated for such purpose, which property he is hereby authorized to accept, such offices and administration buildings as he may deem advisable, together with a suitable auditorium for the interpretation of the historical features of the national historical park. The Secretary of the Interior is also authorized to accept donations of property of national historical significance located in the city of Philadelphia which the Secretary may deem proper for administration as part of the Independence National Historical Park. Any property donated for the purposes of this section shall become a part of the park, following its establishment, upon acceptance by the United States of title to such donated property.

Acceptance of donations.

Advisory commission.

SEC. 4. The Secretary of the Interior is authorized, in his discretion, to establish a suitable advisory commission of not to exceed eleven members. The members of the advisory commission shall be appointed by the Secretary of the Interior, with three members to be recommended by the Governor of Pennsylvania, three by the mayor of Philadelphia, and one each by the Carpenters' Company of Philadelphia and the Independence Hall Association.

Functions.

The functions of the advisory commission shall be to render advice to the Secretary of the Interior, from time to time, upon matters which the Secretary of the Interior may refer to them for consideration.

SEC. 5. The administration, protection, and development of the park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U. S. C. 1–4), as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; 16 U. S. C. 461–467).

Appropriation authorized.

SEC. 6. For the purpose of acquiring the property described in section 1 of this Act, there is hereby authorized to be appropriated not to exceed the sum of $4,435,000. Funds appropriated pursuant to this Act shall be available for any expenses incidental to acquisition of property as prescribed by this Act, including the employment of the necessary services in the District of Columbia, and including to the extent deemed necessary by the Secretary of the Interior, the employment without regard to the civil-service laws or the Classification Act of 1923, as amended, of such experts and other officers and employees as are necessary to carry out the provisions of this Act efficiently and in the public interest.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

Approved June 28, 1948.

[CHAPTER 688]

AN ACT

June 28, 1948
[H. R. 5710]
[Public Law 796]

To amend the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended.

Defense housing, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act

entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended by adding at the end thereof the following new section 505:

60 Stat. 958.
42 U. S. C. §§ 1572, 1574; Supp. I, §§ 1572 (a), 1574 note.

"SEC. 505. (a) Upon the filing of a request therefor as herein provided, the Administrator shall relinquish and transfer, without monetary consideration, to any educational institution all contractual rights (including the right to revenues and other proceeds) and all property right, title, and interest of the United States in and with respect to any temporary housing located on land owned by such institution, or controlled by it and not held by the United States: *Provided*, That any net revenues or other proceeds from such housing to which the United States is entitled shall not cease, by virtue of this section 505, to accrue to the United States until the end of the month in which the rights, title, and interest with respect to such housing are relinquished and transferred hereunder, and the obligation of the transferee to pay such accrued amounts shall not be affected by this section: *And provided further*, That this shall not be deemed to require a transfer to an educational institution which has no contractual or other interest in the housing or the land on which it is located except that of a lessor. As used in this section, the term 'temporary housing' shall include any housing (including trailers and other mobile or portable housing) constructed, acquired, or made available under this title V, and includes any structures, appurtenances, and other property, real or personal, acquired for or held in connection therewith.

Transfer to educational institutions.

Restriction.

"Temporary housing."

59 Stat. 260.
42 U. S. C. §§ 1571–1574; Supp. I, §§ 1571–1574.

"(b) The filing of a request under this section must be made within one hundred and twenty days of the date of enactment of the section and shall be authorized by the board of trustees or other governing body of the institution making the request. Such request shall be accompanied by an opinion of the chief law officer or legal counsel of the institution making the request to the effect that it has legal authority to make the request, to accept the transfer of and operate any property involved, and to perform its obligations under this section. The provisions of section 313 of this Act (and the contractual obligations of the educational institution to the Federal Government with respect thereto) shall cease to apply to any temporary housing to which rights are relinquished or transferred under this section 505 if (and only if) the request therefor is supported by a resolution of the governing body of the municipality or county having jurisdiction in the area specifically approving the waiver of the requirements of said section 313. The Administrator shall act as promptly as practicable on any request which complies with the provisions of this section 505 and is fully supported as herein required.

Filing of request.

57 Stat. 388.
42 U. S. C. § 1553; Supp. I, § 1553 note.
Post, p. 1064.

"(c) In filling vacancies in any housing for which rights are relinquished or transferred under subsection (a) of this section, preference shall be given to veterans of World War II or servicemen, who are students at the educational institution, and their families: *Provided*, That the educational institution shall be deemed to comply with this subsection (c) if it makes available to veterans of World War II or servicemen and their families accommodations in any housing of the institution equal in number to the accommodations in the housing for which such rights are relinquished or transferred."

Preference to veterans or servicemen.

SEC. 2. (a) Any Federal agency (including any wholly owned Government corporation) administering utility installations connected to a utility system for housing under the jurisdiction of the Housing and Home Finance Administrator is authorized—

Utilities.

(1) to continue to provide utilities and utility services to such housing as long as it is under the jurisdiction of the Administrator;

(2) to contract with the purchasers or transferees of such

housing to continue the utility connection with such installations and furnish such utilities and services as may be available and needed in connection with such housing, for such period of time (not exceeding the period of Federal administration of such installations) and subject to such terms (including the payment of the pro rata cost to the Government or the market value of the utilities and services furnished, whichever is greater) as may be determined by the head of the agency;

(3) to dispose of such installations, when excess to the needs of the agency, and where not excess to grant an option to purchase, to the purchasers or transferees of such housing, for an amount not less than the appraised value of the installations and upon such terms and conditions as the head of the agency shall establish.

Easements for utility purposes.

(b) Any Federal agency (including any wholly owned Government corporation) having under its jurisdiction lands across which run any part of a utility system for housing under the jurisdiction of the Administrator is authorized to grant to the Administrator, or to the purchasers or transferees of such housing, easements (which may be perpetual) on such land for utility purposes.

SEC. 3. Section 4 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is hereby amended by striking out the period at the end thereof and adding the following: ": *Provided further*, That, for the purposes of this section, housing constructed or acquired under the provisions of Public Law 781, Seventy-sixth Congress, approved September 9, 1940, or Public Law 9, 73, or 353, Seventy-seventh Congress, approved, respectively, March 1, 1941, May 24, 1941, and December 17, 1941, shall be deemed to be housing constructed or acquired under this Act."

56 Stat. 12.
42 U. S. C. § 1524; Supp. I, § 1524 note.
Ante, p. 492.

54 Stat. 872; 55 Stat. 14, 197, 810.

SEC. 4. Section 313 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is hereby amended by striking out the following words in the second sentence: "two years after the President declares that the emergency declared by him on September 8, 1939, has ceased to exist" and inserting in lieu thereof "January 1, 1950".

57 Stat. 388.
42 U. S. C. § 1553; Supp. I, § 1553 note.

Conveyance to Howard University.

SEC. 5. The Defense Homes Corporation is authorized to convey, without reimbursement therefor, to Howard University, a corporation organized pursuant to an Act of Congress, all of its right, title, and interest in certain lands in the District of Columbia, together with the improvements constructed thereon and the personal property used in connection therewith, and commonly known as Lucy Diggs Slowe Hall, 1919 Third Street Northwest, and George Washington Carver Hall, 211 Elm Street Northwest: *Provided*, That no employee of the United States or of the District of Columbia who, on the date of approval of this Act, is a tenant of either Lucy Diggs Slowe Hall or George Washington Carver Hall shall, unless quarters were assigned to such tenant on a transient basis or on the sole basis that the tenant was enrolled at an educational institution, be evicted from such halls within four years after the approval of this Act, except where such tenant commits a nuisance or otherwise violates any obligation of tenancy.

Eviction from certain halls.

Discharge of indebtedness by Reconstruction Finance Corporation.

The Reconstruction Finance Corporation is hereby authorized and directed to discharge the indebtedness of the Defense Homes Corporation to the Reconstruction Finance Corporation in an amount equal to the Defense Homes Corporation's net investment in these properties as of the date of transfer, as determined by the President of the Defense Homes Corporation, and the Secretary of the Treasury is authorized and directed to discharge the indebtedness of the Recon-

struction Finance Corporation to the Treasury in like amount as of the same date.

SEC. 6. The right, title, and interest in any lands, together with the improvements constructed thereon, which are conveyed pursuant to the authority granted by section 5 hereof, shall revert to the United States upon a written finding made by the President prior to July 1, 1963, that the property is needed by the United States in connection with a national defense emergency.

Reversion to U. S.

Ante, p. 1064.

Approved June 28, 1948.

[CHAPTER 689]

AN ACT

To authorize the Administrator of Veterans' Affairs to convey a certain tract of land in the State of Arkansas to Washington County, Arkansas.

June 28, 1948
[S. 2849]
[Public Law 797]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed, subject to such terms and conditions as the Administrator of Veterans' Affairs may prescribe, to convey by quitclaim deed to Washington County, Arkansas, without consideration, the following-described tract of land, which is a part of the lands of the Veterans' Administration hospital, Fayetteville, Washington County, Arkansas:

Washington County, Ark.
Conveyance.

A part of the southeast quarter of northeast quarter of section 9 and a part of the southwest quarter of northwest quarter of section 10, township 16 north, range 30 west, fifth principal meridian, more particularly described as follows: Beginning at the southwest corner of southeast quarter of northeast quarter of said section 9, running thence north two hundred feet; thence east five hundred and thirty feet; thence north fifty degrees eighteen minutes east two hundred and thirty-four and eighty-three one-hundredths feet; thence east seven hundred and forty-four and seventeen one-hundredths feet to the center of said United States Highway Numbered 71; thence south two degrees two minutes west along center of said United States Highway Numbered 71 three hundred and fifty and twenty-four one-hundredths feet; thence west one thousand four hundred and forty-two and forty one-hundredths feet to the place of beginning, containing nine and eighty one-hundredths acres.

The deed shall reserve to the United States all interest in and to any oil, mineral, or fissionable material in said land, and shall provide for reversion to the United States if the land ceases to be used for hospital purposes.

Reversion to U. S.

Approved June 28, 1948.

[CHAPTER 690]

AN ACT

To authorize the Secretary of State to perform certain consular-type functions within the United States and its Territories and possessions.

June 28, 1948
[H. R. 4330]
[Public Law 798]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until such time as the President shall determine and proclaim that a German Government capable of representing its own nationals in the United States and its Territories and possessions has been established, and under such regulations as the Secretary of State may prescribe, the Department of State is authorized to perform consular functions for German nationals within the United States and its Territories and possessions, and to collect fees and make charges for services rendered:

Department of State.
Consular functions for German nationals in U. S.

Provided, That any money so received shall be deposited and covered into the Treasury as miscellaneous receipts.

Appropriation authorized.

SEC. 2. There are hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purpose of this Act.

Approved June 28, 1948.

[CHAPTER 691]

AN ACT

June 28, 1948
[H. R. 4367]
[Public Law 799]

Authorizing the Hidalgo Bridge Company, its heirs, legal representatives, and assigns, to construct, maintain, and operate a railroad toll bridge across the Rio Grande, at or near Hidalgo, Texas.

Rio Grande.
Bridge at Hidalgo, Tex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Hidalgo Bridge Company, its heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a railroad toll bridge and originally designed approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near Hidalgo, Texas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject further to the approval of the International Boundary and Water Commission, United States and Mexico, and also subject to the approval of the proper authorities in the Republic of Mexico to the construction, operation, and maintenance of such bridge: *Provided*, That the construction of the bridge herein authorized shall not be undertaken until after an agreement regarding such construction shall have been effected between the Government of the United States and the Government of the United Mexican States.

34 Stat. 84.
33 U. S. C. §§ 491–498.

Agreement between U. S. and Mexico.

Acquisition of property.

SEC. 2. There is hereby conferred upon the Hidalgo Bridge Company, its heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, occupy, possess, and use real estate and other property in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its originally designed approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes, upon making just compensation therefor to be ascertained and paid according to the laws of such State of Texas.

Tolls, etc.

SEC. 3. The said Hidalgo Bridge Company, its heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of the State of Texas applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

34 Stat. 84.
33 U. S. C. §§ 491–498.

Sale of rights, etc., to public agency.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act to any public agency, or to an international bridge authority or commission, is hereby granted to the Hidalgo Bridge Company, its heirs, or legal representatives; and any such public agency, international bridge authority, or international bridge commission to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such public agency, international bridge authority, or international bridge commission.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved. Rights reserved.

Approved June 28, 1948.

[CHAPTER 692]

AN ACT

June 28, 1948
[H. R. 4635]
[Public Law 800]

To amend section 11 of an Act entitled "An Act to regulate barbers in the District of Columbia, and for other purposes".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of an Act entitled "An Act to regulate barbers in the District of Columbia, and for other purposes", approved June 7, 1938 (sec. 2-1111 D. C. Code, 1940 Edition), is hereby amended to read as follows: Barber regulations, D. C., amendment. 52 Stat. 622.

"SEC. 11. All fees and charges payable under the provisions of this Act shall be paid to the secretary-treasurer of the Board. The Board is hereby authorized to collect the following fees and charges and to refund any such fee or charge or portion thereof erroneously paid or collected under this Act: Fees. Refunds.

"(a) For the examination of an applicant for a certificate as a registered barber, $20.

"(b) For the issuance of a certificate as a registered barber, $5.

"(c) For the issuance of a renewal of a certificate as a registered barber, $10.

"(d) For the restoration of an expired certificate as a registered barber, $15.

"(e) For the examination of an applicant for a certificate as a registered barber apprentice, $15.

"(f) For the issuance of a certificate as a registered barber apprentice, $5.

"(g) For the issuance of a renewal of a certificate as a registered barber apprentice, $5.

"(h) For the restoration of an expired certificate as a registered barber apprentice, $10.

"(i) For registration of a private barber school or college, $50.

"(j) For annual renewal of registration of a private barber school or college, $25.

"(k) All students in a private barber school or college shall register with the Board and shall pay a fee of $2 for a certificate of registration as a student.

"(l) Any registered barber or apprentice whose certificate has been lost or destroyed shall, upon satisfying the Board of such loss or destruction and upon payment of a fee of $2, be given a duplicate certificate."

SEC. 2. This Act shall take effect thirty days after the date of its enactment. Effective date.

Approved June 28, 1948.

[CHAPTER 693]

AN ACT

June 28, 1948
[H. R. 4690]
[Public Law 801]

To amend the Act of July 30, 1947, permitting vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to permit vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States", approved July 30, 1947, is amended to read as follows: 61 Stat. 632.

41 Stat. 999.
46 U. S. C., Supp. I, § 883 note.

"That notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 edition, title 46, sec. 883), vessels of Canadian registry shall be permitted until June 30, 1949, to transport products of, and supplies and equipment for, the Riverside Mine at Hyder, Alaska, between Hyder, Alaska, and other points in the United States, either directly or via a foreign port, or for any part of the transportation."

Approved June 28, 1948.

[CHAPTER 694]

AN ACT

June 28, 1948
[H. R. 4917]
[Public Law 802]

To provide further benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the United States, and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken.

Civil service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of July 31, 1946 (60 Stat. 749; 5 U. S. C., sec. 645a), is hereby amended by adding thereto the following:

Disabled veterans.

"(c) Any person within the terms of this section, who, due to a disability incurred because of military service in World War II, is unable to perform the duties of the position designated by him at the time of taking the examination for appointment thereto, may upon written request at any time have his name entered upon any list of eligibles for any position for which a like examination is required and such entry shall be made without any loss of seniority or other rights of eligibility conferred by this section: *Provided however*, That this Act shall not be construed to extend the period of eligibility which such person would have otherwise had."

Restriction.

Approved June 28, 1948.

[CHAPTER 695]

AN ACT

June 28, 1948
[H. R. 6448]
[Public Law 803]

To authorize the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City.

Johnson City, Tenn.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is hereby authorized to convey to the city of Johnson City, a municipal corporation of the State of Tennessee, without consideration and on behalf of the United States, a tract of land located in the ninth civil district of Washington County, Tennessee, on the north side of United States Highway 11E approximately one mile west of the corporate boundary of Johnson City, Tennessee, and more particularly described as follows:

Beginning at the northwest corner of the property of the United States of America now under the jurisdiction of the Veterans' Administration, known as Veterans' Administration center, Mountain Home, Tennessee. This beginning point is also the northeast corner of property transferred from the Veterans' Administration to the Tennessee Valley Authority by Executive Order Numbered 9771, dated August 24, 1946; thence north eighty-six degrees fifty-six minutes east nine hundred and eight-tenths feet; thence south one degree thirty minutes west three hundred and seventy-two feet; thence south eighty-six degrees five minutes east five hundred and ninety-one feet; thence south four degrees fifteen minutes west one hundred and forty-three and five-tenths feet to the north side of United States Highway 11E;

3 CFR, 1946 Supp., p. 158.

thence with said highway south sixty-nine degrees forty minutes west one thousand six hundred and two feet to corner of said property transferred by Veterans' Administration to Tennessee Valley Authority by Executive Order 9771 aforesaid; thence north one degree thirty minutes east for a distance of one thousand and sixty-three and three-tenths feet to the beginning.

3 CFR, 1946 Supp., p. 158.

SEC. 2. The tract of land authorized to be transferred by the first section of this Act shall be used by the grantee for fair grounds and recreational purposes; and the deed of conveyance of such lands shall contain (1) the provision that all such property shall be used and maintained for the purposes for which it was conveyed for a period of not less than twenty years, and that in the event such property ceases to be used or maintained for such purposes during such period, or is alienated or an attempt is made to alienate such property during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and (2) such additional terms, reservations, restrictions and conditions as may be determined by the Administrator of Veterans' Affairs to be necessary to safeguard the interests of the United States. The deed shall reserve to the United States the interests in fissionable material as provided in Executive Order 9908, dated December 5, 1947: *Provided*, That Johnson City shall pay 50 per centum of appraised value of its property to be determined by the Veterans' Administration.

Use of land.

Rights reserved by U. S.
3 CFR, 1947 Supp., p. 176.

Approved June 28, 1948.

[CHAPTER 696]

AN ACT

To amend the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress); and for other purposes.

June 28, 1948
[H. R. 6707]
[Public Law 804]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws requiring retirement of Regular Army and Regular Air Force officers because of age shall not apply to officers of the Regular Army or Regular Air Force appointed in the grade of General of the Army pursuant to the Act of March 23, 1946 (60 Stat. 59). The President, may, in his discretion, upon the request of the officer concerned, restore to the active list of the Regular Army or Regular Air Force any officer of the Regular Army or Regular Air Force on the retired list who was appointed in the grade of General of the Army pursuant to the Act of March 23, 1946 (60 Stat. 59).

Officer Personnel Act of 1947, amendment.
General of the Army.

50 U. S. C. app. §§ 1691, 1692, 1711, 1721 notes.

Officers appointed in the grade of General of the Army pursuant to the Act of March 23, 1946 (60 Stat. 59), shall not be counted within the limited number of officers authorized to be serving on active duty in grades above lieutenant general as provided in section 504 of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress) unless they be serving as Chief of Staff or in command of any territorial or tactical subdivision of the Army or the Air Force.

61 Stat. 886.
10 U. S. C., Supp. I, § 506b; 37 U. S. C., Supp. I, § 107.

SEC. 2. In addition to the number of officers authorized to serve after July 1, 1948, on the active list in the grade of General in the Army and Admiral in the Navy pursuant to sections 504 and 413 of the Officer Personnel Act of 1947, officers now on the active list of the Army in the grade of general whose dates of rank in such grade are between March 8, 1945, and April 15, 1945, inclusive, and of the Navy in the grade of admiral whose dates of rank in such grade are prior to April 4, 1945, may, at the discretion of the President, be continued in such grades until July 1, 1950, unless sooner retired and the total number of officers authorized by these sections to have the grade, rank, title, pay, and allowances of vice admiral or admiral and lieutenant general

Continuation of certain officers on active list.

61 Stat. 886, 875.
10 U. S. C., Supp. I, § 506b; 37 U. S. C., Supp. I, § 107; 34 U. S. C., Supp. I, § 211d.

Army Chief of Staff.

or general, is temporarily increased accordingly: *Provided*, That the provisions of this section in no way affect the status of the officer who may be serving as Chief of Staff in the Army on the effective date of this Act.

Approved June 28, 1948.

[CHAPTER 703]

June 29, 1948
[S. 1087]
[Public Law 805]

AN ACT

To amend section 502 (a) of the Department of Agriculture Organic Act of 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a) of the Department of Agriculture Organic Act of 1944 (Public Law 425, Seventy-eighth Congress, 58 Stat. 739, 740), as amended by Public Law 563, Seventy-eighth Congress (58 Stat. 925), is further amended by inserting after the words "to cooperative associations" the words "and municipalities"; and by inserting after the words "said cooperative associations" a comma and the words "and municipalities to the extent that such indebtedness was incurred with respect to electric transmission and distribution lines or systems or portions thereof serving persons in rural areas,".

7 U. S. C. § 904.

Approved June 29, 1948.

[CHAPTER 704]

June 29, 1948
[S. 1322]
[Public Law 806]

AN ACT

To provide a Federal charter for the Commodity Credit Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Commodity Credit Corporation Charter Act".

Commodity Credit Corporation Charter Act.

SEC. 2. CREATION AND PURPOSES.—For the purpose of stabilizing, supporting, and protecting farm income and prices, of assisting in the maintenance of balanced and adequate supplies of agricultural commodities, products thereof, foods, feeds, and fibers (hereinafter collectively referred to as "agricultural commodities"), and of facilitating the orderly distribution of agricultural commodities, there is hereby created a body corporate to be known as Commodity Credit Corporation (hereinafter referred to as the "Corporation"), which shall be an agency and instrumentality of the United States, within the Department of Agriculture, subject to the general direction and control of its Board of Directors.

SEC. 3. OFFICES.—The Corporation may establish offices in such place or places as it may deem necessary or desirable in the conduct of its business.

SEC. 4. GENERAL POWERS.—The Corporation—

(a) Shall have succession in its corporate name.

Seal.

(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

Right to sue and be sued.

(c) May sue and be sued, but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property. The district courts of the United States, including the district courts of the District of Columbia and of any Territory or possession, shall have exclusive original jurisdiction of all suits brought by or against the Corporation: *Provided*, That the Corporation may intervene in any court in any suit, action, or proceeding in which it has an interest. Any suit against the Corporation shall be brought in the District of Columbia, or in the district wherein the plaintiff resides or is engaged in business. No suit by or

Intervention in court action.

Time limitation.

against the Corporation shall be allowed unless it shall have been brought within four years after the right accrued on which suit is brought. All suits against the Corporation shall be tried by the court without a jury. Notwithstanding any other provision of this Act, the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congres) shall be applicable to the Corporation. Any suit by or against the United States as the real party in interest based upon any claim by or against the Corporation shall be subject to the provisions of this subsection (c) to the same extent as though such suit were by or against the Corporation.

60 Stat. 842. 28 U. S. C. §§ 921, 922, 931–934, 941–946; Supp. I, § 931. *Ante*, p. 1008.

(d) May adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised.

Rules and regulations.

(e) Shall have all the rights, privileges, and immunities of the United States with respect to the right to priority of payment with respect to debts due from insolvent, deceased, or bankrupt debtors. The Corporation may assert such rights, privileges, and immunities in any suit, action, or proceeding.

Priority of payment with respect to debts.

(f) Shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Federal Government.

Use of U. S. mails.

(g) May enter into and carry out such contracts or agreements as are necessary in the conduct of its business. State and local regulatory laws or rules shall not be applicable with respect to contracts or agreements of the Corporation or the parties thereto to the extent that such contracts or agreements provide that such laws or rules shall not be applicable, or to the extent that such laws or rules are inconsistent with such contracts or agreements.

Contracts or agreements.

(h) May contract for the use, in accordance with the usual customs of trade and commerce, of plants and facilities for the physical handling, storage, processing, servicing, and transportation of the agricultural commodities subject to its control. Except as provided in section 16, the Corporation shall not have power to acquire or lease any such plant or facility or to acquire or lease real property or any interest therein, except that it may rent or lease office space necessary for the conduct of its business and it may continue to lease (by renewing or extending existing leases or entering into new leases) property leased by it on the date of the enactment of this Act.

Acquisition of property.

Post, p. 1075.

(i) May borrow money subject to any provision of law applicable to the Corporation: *Provided*, That the total of all money borrowed by the Corporation, other than trust deposits and advances received on sales, shall not at any time exceed in the aggregate $4,750,000,000. The Corporation shall at all times reserve a sufficient amount of its authorized borrowing power which, together with other funds available to the Corporation, will enable it to purchase, in accordance with its contracts with lending agencies, notes, or other obligations evidencing loans made by such agencies under the Corporation's programs.

Borrowing of money. Limitation.

(j) Shall determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid.

(k) Shall have authority to make final and conclusive settlement and adjustment of any claims by or against the Corporation or the accounts of its fiscal officers.

Settlement of claims.

(l) May make such loans and advances of its funds as are necessary in the conduct of its business.

Loans.

(m) Shall have such powers as may be necessary or appropriate for the exercise of the powers specifically vested in the Corporation, and all such incidental powers as are customary in corporations generally; but any research financed by the Corporation shall relate to

Research.

the conservation or disposal of commodities owned or controlled by the Corporation and shall be conducted in collaboration with research agencies of the Department of Agriculture.

Powers with respect to agricultural commodities.

SEC. 5. SPECIFIC POWERS.—In the fulfillment of its purposes and in carrying out its annual budget programs submitted to and approved by the Congress pursuant to the Government Corporation Control Act (31 U. S. C., 1940 edition, Supp. V, 841), the Corporation is authorized to use its general powers only to—

59 Stat. 597.
31 U. S. C. §§ 841, 846–852, 856–859, 866–869; Supp. I, § 849.
Post, p. 1283.

(a) Support the prices of agricultural commodities through loans, purchases, payments, and other operations.

(b) Make available materials and facilities required in connection with the production and marketing of agricultural commodities.

(c) Procure agricultural commodities for sale to other Government agencies, foreign governments, and domestic, foreign, or international relief or rehabilitation agencies, and to meet domestic requirements.

(d) Remove and dispose of or aid in the removal or disposition of surplus agricultural commodities.

(e) Increase the domestic consumption of agricultural commodities by expanding or aiding in the expansion of domestic markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities.

(f) Export or cause to be exported, or aid in the development of foreign markets for, agricultural commodities.

(g) Carry out such other operations as the Congress may specifically authorize or provide for.

In the Corporation's purchasing and selling operations with respect to agricultural commodities (except sales to other Government agencies), and in the warehousing, transporting, processing, or handling of agricultural commodities, the Corporation shall, to the maximum extent practicable consistent with the fulfillment of the Corporation's purposes and the effective and efficient conduct of its business, utilize the usual and customary channels, facilities, and arrangements of trade and commerce.

SEC. 6. EXISTING STATUTES APPLICABLE TO THE CORPORATION.—The Federal statutes applicable to Commodity Credit Corporation, a Delaware corporation, shall be applicable to the Corporation. Commodity Credit Corporation, a Delaware corporation, shall cease to be an agency of the United States as provided in section 7 (a) of the Act of January 31, 1935, as amended (15 U. S. C., 1940 edition, Supp. V, 713 (a)).

49 Stat. 4.
15 U. S. C., Supp. I, § 713 (a).

SEC. 7. CAPITAL STOCK.—The Corporation shall have a capital stock of $100,000,000 which shall be subscribed by the United States. Such subscription shall be deemed to be fully paid by the transfer of assets to the Corporation pursuant to section 16 of this Act. The Corporation shall pay interest to the United States Treasury on the amount of its capital stock, and on the amount of the obligations of the Corporation purchased by the Secretary of the Treasury pursuant to the Act of March 8, 1938 (U. S. C., title 15, sec. 713a–4), as amended, at such rates as may be determined by the Secretary of the Treasury to be appropriate in view of the terms for which such amounts are made available to the Corporation.

Post, p. 1075.
Interest.

52 Stat. 108.
15 U. S. C., Supp. I, § 713a–4 note.

SEC. 8. FUNDS.—The Corporation is authorized to use in the conduct of its business all its funds and other assets, including capital and net earnings therefrom, and all funds and other assets which have been or may hereafter be transferred or allocated to, borrowed by, or otherwise acquired by it.

SEC. 9. DIRECTORS.—The management of the Corporation shall be vested in a Board of Directors (hereinafter referred to as the "Board"). The Board shall consist of five members. The Secretary

of Agriculture, or his nominee, shall be a member of the Board and the remaining members shall be appointed by the President by and with the advice and consent of the Senate. The Chairman of the Board shall be selected by the Board. A majority of the directors shall constitute a quorum of the Board and action shall be taken only by a majority vote of those present. The appointed directors shall serve for a period of five years, except that the terms of the first Board shall be shortened to provide for replacement or reappointment of its members in number as nearly equal as practicable in each year. The power of removal shall be vested in the President of the United States. The Corporation may provide, by its bylaws, for the compensation to be paid the directors: *Provided*, That the compensation paid any director shall not exceed in the aggregate $10,000 per annum: *And provided further*, That employees of the Corporation or any department or agency of the Federal Government, if also directors, shall not receive additional compensation for their services on the Board. Employees of the Corporation or any department or agency of the Federal Government, if also directors, shall not comprise, in the aggregate, more than three of the members of the Board.

Quorum.

Term of directors.

Compensation of directors.

Restriction.

The Secretary of Agriculture is authorized to appoint an interim Board consisting of five members, including the Secretary, who shall serve until October 1, 1948.

Interim Board.

SEC. 10. THE EXECUTIVE STAFF.—Responsibility for the day-to-day conduct of the business of the Corporation shall be vested in a staff of executive officers, headed by a chief executive appointed by the Board and responsible to the Board. Members of the executive staff shall devote their full time to the affairs of the Corporation. The Board shall define the authority and duties of the members of the executive staff, delegate to them such of the powers vested in the Corporation as it may determine, require that such of them as it may designate be bonded and fix the penalties therefor. The Corporation may pay the premium of any bond or bonds of any officer or employee. With the exception of experts, appointments shall be made pursuant to the civil-service laws and the Classification Act of 1923, as amended (5 U. S. C., 1940 edition, 661).

42 Stat. 1488. 5 U. S. C. §§ 661–674.

SEC. 11. COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.—The Corporation may, with the consent of the agency concerned, accept and utilize, on a compensated or uncompensated basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, including any bureau, office, administration, or other agency of the Department of Agriculture, and of any State, the District of Columbia, any Territory or possession, or any political subdivision thereof. The Corporation may allot to any bureau, office, administration, or other agency of the Department of Agriculture or transfer to such other agencies as it may request to assist it in the conduct of its business any of the funds available to it for administrative expenses. The personnel and facilities of the Corporation may, with the consent of the Corporation, be utilized on a reimbursable basis by any agency of the Federal Government, including any bureau, office, administration, or other agency of the Department of Agriculture, in the performance of any part or all of the functions of such agency.

Transfer of funds.

SEC. 12. UTILIZATION OF ASSOCIATIONS AND TRADE FACILITIES.—The Corporation may, in the conduct of its business, utilize on a contract or fee basis, committees or associations of producers, producer-owned and producer-controlled cooperative associations, and trade facilities.

SEC. 13. RECORDS; ANNUAL REPORT.—The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary of Agriculture a complete report as to the business of the Corporation, a copy of which shall be forwarded

by the Secretary of Agriculture to the President for transmission to the Congress.

SEC. 14. INTEREST OF MEMBERS OF THE CONGRESS.—The provisions of section 1 of the Act of February 27, 1877, as amended (41 U. S. C., 1940 edition, 22), shall apply to all contracts or agreements of the Corporation, except contracts or agreements of a kind which the Corporation may enter into with farmers participating in a program of the Corporation.

19 Stat. 249.
41 U. S. C. § 22.

SEC. 15. CRIMES AND OFFENSES.—

FALSE STATEMENTS; OVERVALUATION OF SECURITIES

Penalty.

(a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Corporation, or for the purpose of obtaining for himself or another, money, property, or anything of value, under this Act, or under any other Act applicable to the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment by not more than five years, or both.

EMBEZZLEMENT, AND SO FORTH; FALSE ENTRIES; FRAUDULENT ISSUE OF OBLIGATIONS OF CORPORATION

Penalty.

(b) Whoever, being connected in any capacity with the Corporation or any of its programs, (i) embezzles, abstracts, purloins, or willfully misapplies any money, funds, securities, or other things of value, whether belonging to the Corporation or pledged or otherwise entrusted to it; or (ii) with intent to defraud the Corporation, or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of, or to, the Corporation, or draws any order, or issues, puts forth or assigns any note or other obligation or draft, mortgage, judgment, or decree thereof; or (iii) with intent to defraud the Corporation, participates or shares in, or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission, contract, or any other act of the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

LARCENY; CONVERSION OF PROPERTY

Penalty.

(c) Whoever shall willfully steal, conceal, remove, dispose of, or convert to his own use or to that of another any property owned or held by, or mortgaged or pledged to, the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

CONSPIRACY TO COMMIT OFFENSE

Penalty.

(d) Whoever conspires with another to accomplish any of the acts made unlawful by the preceding provisions of this section shall, upon conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for doing such unlawful acts.

GENERAL STATUTES APPLICABLE

(e) All the general penal statutes relating to crimes and offenses against the United States shall apply with respect to the Corporation, its property, money, contracts and agreements, employees, and operations: *Provided*, That such general penal statutes shall not apply to the extent that they relate to crimes and offenses punishable under

subsections (a), (b), (c), and (d) of this section: *Provided further*, That sections 114 and 115 of the Act of March 4, 1909, as amended (18 U. S. C., 1940 edition, 204, 205) shall not apply to contracts or agreements of a kind which the Corporation may enter into with farmers participating in a program of the Corporation.

35 Stat. 1109.
Ante, p. 863.

SEC. 16. TRANSFER OF ASSETS OF COMMODITY CREDIT CORPORATION, A DELAWARE CORPORATION.—The assets, funds, property, and records of Commodity Credit Corporation, a Delaware corporation, are hereby transferred to the Corporation. The rights, privileges, and powers, and the duties and liabilities of Commodity Credit Corporation, a Delaware corporation, in respect to any contract, agreement, loan, account, or other obligation shall become the rights, privileges, and powers, and the duties and liabilities, respectively, of the Corporation. The enforceable claims of or against Commodity Credit Corporation, a Delaware corporation, shall become the claims of or against, and may be enforced by or against, the Corporation: *Provided*, That nothing in this Act shall limit or extend any period of limitation otherwise applicable to such claims against the Corporation.

SEC. 17. DISSOLUTION OF DELAWARE CORPORATION.—The Secretary of Agriculture, representing the United States as the sole owner of the capital stock of Commodity Credit Corporation, a Delaware corporation, is hereby authorized and directed to institute or cause to be instituted such proceedings as are required for the dissolution of said Corporation under the laws of the State of Delaware. The costs of such dissolution of said Corporation shall be borne by the Corporation.

SEC. 18. EFFECTIVE DATE.—This Act shall take effect as of midnight June 30, 1948.

Approved June 29, 1948.

[CHAPTER 705]

AN ACT

To authorize the issuance of a stamp commemorative of the two-hundredth anniversary of the founding of the city of Alexandria, Virginia.

June 29, 1948
[S. 2739]
[Public Law 807]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1949, a special 5-cent air mail postage stamp, of such design as he shall prescribe, in commemoration of the two-hundredth anniversary of the founding of the city of Alexandria, Virginia.

Alexandria, Va.
Commemorative
postage stamp.

Approved June 29, 1948.

[CHAPTER 706]

AN ACT

To amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company.

June 29, 1948
[S. 2747]
[Public Law 808]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Panama Railroad
Company, incorporation.

DECLARATION OF POLICY

SECTION 1. It is the policy of this Act, incorporating the Panama Railroad Company pursuant to section 304 (b) of the Government Corporation Control Act, approved December 6, 1945, for the purpose of conducting business activities incident to the care, maintenance, sanitation, operation, improvement, government, and protection of

59 Stat. 602.
31 U. S. C. § 869 (b).

37 Stat. 560.
48 U. S. C. § 1301.
Ante, p. 991.

the Panama Canal and Canal Zone; to preserve the authority vested in the President by the Panama Canal Act of August 24, 1912; to govern and operate the Panama Canal and govern the Canal Zone, or cause them to be governed and operated, through a Governor of the Panama Canal and such other persons as he may deem competent to discharge the various duties connected with the care, maintenance, sanitation, operation, government, and protection of the Canal and Canal Zone. Also it is the policy of this Act that the operations in the Canal Zone shall continue to be coordinated, through the President, in order that the responsibility for and authority over this important utility shall not be divided.

REINCORPORATION OF THE PANAMA RAILROAD COMPANY

SEC. 2. Chapter 12 of title 2 of the Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end of said chapter a new article numbered 3, embracing new sections 245 to 256 of said title 2, and reading as follows:

"ARTICLE 3—PANAMA RAILROAD COMPANY ACT

"245. CREATION, PURPOSE, OFFICES, AND RESIDENCE OF PANAMA RAILROAD COMPANY.—For the purpose of conducting business operations incident to the care, maintenance, sanitation, operation, improvement, government, and protection of the Panama Canal and the Canal Zone, there is hereby created, as an agency and instrumentality of the United States, and as an adjunct of the Panama Canal, a body corporate to be known as the Panama Railroad Company, hereinafter referred to as the 'corporation'. The principal offices of the corporation shall be in the city of New York, New York, and in the Canal Zone, but the corporation may establish agencies or branch offices in such other place or places as it may deem necessary or appropriate in the conduct of its business. Within the meaning of the laws of the United States relating to venue in civil actions, the corporation shall be deemed to be an inhabitant and resident both of the southern judicial district of New York and of the Canal Zone.

Receipt for transfer of net assets.

"246. INVESTMENT OF THE UNITED STATES.—(a) As of the beginning of business July 1, 1948, the corporation shall issue to the United States, and deliver to the Secretary of the Treasury, a receipt for $1 acknowledging the transfer to the corporation, under the provisions of section 251 of this title, of the net assets of the Panama Railroad Company, hereinafter referred to as the 'New York company', a corporation created by an act of the Legislature of the State of New York passed on April 7, 1849, as amended by an act of that legislature passed on April 12, 1855, and which is wholly owned by the United States, and such receipt shall be evidence of the ownership of the corporation by the United States of America. In its capacity as owner of the corporation, the United States shall be represented by the President of the United States or such officer of the United States as may be designated by him, hereinafter referred to as the 'stockholder'.

Post, p. 1079.

Increase in amount of receipt.

"(b) The amount of the receipt (referred to in paragraph (a) above) shall be increased by subsequent additional direct investments of the United States, in excess of repayments to the Treasury and extraordinary expenditures and losses applicable as offsets to such investments under the provisions of paragraph (d) of this section, due to (1) funds advanced to the corporation from the Treasury within such appropriations by the Congress as may from time to time be made to meet increased capital needs, and (2) transfers to the corporation from other Government agencies (or, conversely, decreased by transfers from the corporation to other Government agencies), pursuant to

applicable provisions of law, of business enterprises, facilities, appurtenances, and other assets, less liabilities assumed in connection with such transfers. Transfers of properties and other assets from or to other Government agencies under clause (2) above shall be at such appropriate amount or amounts as shall be agreed upon between the corporation and the agencies concerned and approved by the Director of the Bureau of the Budget, and in the determination thereof due consideration shall be given to the cost and probable earning power of the transferred assets, or usable value to the transferee if clearly less than cost, and adequate provisions made for depreciation of properties and equipment, obsolete or otherwise unusable inventories, and other reasonably determinable shrinkages in values, and, insofar as practicable, there shall be excluded from such amount any portion of the value of the transferred property which is properly allocable to national defense. The board of directors shall certify to the Secretary of the Treasury the amount of each such transfer, the amount of any accumulated repayments to the Treasury or extraordinary expenditures or losses applicable as offsets to the amount of such transfer under the provisions of paragraph (d) of this section, and the effective date of the transfer.

Transfers of properties.

Certification of amount of transfer.

"(c) In order to reimburse the Treasury, as nearly as possible, for the interest cost of the funds or other assets directly invested in the corporation, the corporation shall pay interest to the Treasury, at least annually, on the net direct investment of the Government in the corporation, as defined in paragraphs (a) and (b) of this section, and shown by the receipt described therein, at a rate or rates determined by the Secretary of the Treasury as required to reimburse the Treasury for its cost.

Payment of interest.

"(d) The corporation shall account for its surplus as follows: (1) The total net income from operations from and after 1904 (when the Government acquired control of the New York company), plus the undistributed net income prior to 1904, less (2) payments to the Treasury as dividends from and after 1904, not applied as offsets to direct capital contributions as described below, and less (3) extraordinary expenditures or losses incurred through directives based on national policy and not related to the operations of the corporation, not reimbursed through specific appropriations by the Congress, and not applied as offsets to direct capital contributions as described below. The corporation shall not be required to pay interest to the Treasury on any part of its surplus, as above defined. Repayments to the Treasury as dividends shall be applicable as offsets against directly contributed capital, past or future, in determining the base for the interest payments required under paragraph (c) of this section. Extraordinary expenditures and losses (as defined in clause 3 above), to the extent not reimbursed through specific appropriations, shall be considered as repayments to the Treasury analogous to dividends and similarly applicable as offsets against directly contributed capital.

Accounting for surplus.

"247. BOARD OF DIRECTORS.—The management of the corporation shall be vested in a board of directors consisting of not less than nine nor more than thirteen persons who shall be appointed by and hold office at the pleasure of the stockholder, or if he so elects, consisting of the stockholder and eight to twelve other persons: *Provided*, That the Governor of the Panama Canal shall be a director and president of the corporation. Before entering upon his duties, each of the directors so appointed shall take an oath faithfully to discharge the duties of his office. The directors shall receive no salary for their services on the board, but under regulations and in amounts prescribed by the board of directors, with the approval of the stockholder, may be paid by the corporation a reasonable per diem allowance in lieu of subsistence expenses in connection with attendance at meetings of the board or in

Governor of Panama Canal.

Per diem allowance to directors.

connection with the time spent on special service of the corporation, and their traveling expenses to and from meetings or when upon such special service, without regard to the Subsistence Expense Act of 1926, as amended, or the Standardized Government Travel Regulations. Nothing contained in this article or in any other Act shall be construed to prevent the appointment and service, as a director, officer, or employee of the corporation, of any officer or employee of the United States. The directors, of whom a majority shall constitute a quorum for the transaction of business, shall meet for organization purposes when and where called by the stockholder, and for subsequent meetings as provided by the bylaws.

44 Stat. 688.
5 U. S. C. § 821.

Quorum.

"248. GENERAL POWERS OF CORPORATION.—The corporation shall have and may exercise the following general powers, in addition to those elsewhere conferred in this article:

"(a) Shall have perpetual succession in its corporate name, unless dissolved by Act of Congress.

Seal.

"(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

"(c) May adopt, amend, and repeal bylaws governing the conduct of its general business, and the performance of the powers and duties granted to or imposed upon it by law.

"(d) May sue and be sued in its corporate name.

"(e) May appoint such officers, agents, attorneys, and employees as may be necessary for the conduct of the business of the corporation, define their authority and duties, fix their compensation, delegate to them such of the powers of the corporation as may be necessary, require that such of them as it may designate be bonded, and fix the penalties and pay the premiums of such bonds. Persons employed by the corporation whose compensation is paid on any basis other than a per annum basis shall not be included in making computations pursuant to the provisions of section 607 of the Federal Employees Pay Act of 1945.

59 Stat. 304.
5 U. S. C. § 947; Supp. I, § 947 note.

"(f) May enter into contracts, leases, agreements, or other transactions.

"(g) Shall have, in the payment of debts out of bankrupt estates, the priority of the United States.

"(h) May determine the character of and necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, and may incur, allow, and pay the same, subject to pertinent provisions of law generally applicable to Government corporations.

Acquisition of property.

"(i) May purchase, lease, or otherwise acquire, and hold, own, maintain, work, develop, sell, lease, exchange, convey, mortgage, or otherwise dispose of, and deal in, lands, leaseholds, and any interest, estate, or rights in real property, and any personal or mixed property, and any franchises, concessions, rights, licenses, or privileges necessary or appropriate for any of the purposes expressed in this article.

"249. SPECIFIC POWERS OF CORPORATION.—Subject to the provisions of the Government Corporation Control Act, the corporation shall have and may exercise the following specific powers, in addition to those elsewhere conferred in this article:

59 Stat. 597.
31 U. S. C. §§ 841, 846–852, 856–859, 866–869; Supp. I, § 849.
Post, p. 1283.
Construction, etc., of facilities.

"(a) May construct, maintain, and operate a railroad across the Isthmus of Panama.

"(b) May construct or acquire vessels, and operate the same for transportation of passengers or freight and for other purposes.

"(c) May construct or acquire, establish, maintain, and operate docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage and towing facilities, fuel-handling facilities, motor-transportation facilities, power systems, water systems, a telephone

system, construction facilities, living quarters and other buildings, warehouses, storehouses, hotels, a printing plant, commissaries and manufacturing, processing or service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement and recreational facilities, and other business enterprises, facilities, and appurtenances necessary or appropriate for the accomplishment of the purposes of this article.

Sales, supplies, etc.

"(d) May make or furnish sales, services, equipment, supplies, and materials, as contemplated by this article, to vessels, to agencies of the Government of the United States, to employees of the Government of the United States, and to any other governments, agencies, persons, corporations, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with such laws.

Use of U. S. mails.

"(e) May use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government.

"(f) May take such actions as may be necessary or appropriate to carry out the powers in this article or hereafter specifically conferred upon it: *Provided*, That the corporation shall undertake no new types of activities not included in the annual budget program prescribed by section 102 of the Government Corporation Control Act (except those which may be transferred to it under the provisions of section 246 (b) of this title): *And provided further*, That in the event an emergency is declared to exist by the board of directors during a period when the Congress is not in session (or by the Governor of the Panama Canal, acting in his capacity as president of the corporation, with the concurrence of as many of the directors as may be consulted without loss of time unreasonable in the circumstances), recommended appropriate action within the scope of this article may be undertaken. A report on such emergency activity shall be presented promptly to the Congress, when it reconvenes, for its approval and such action as it may deem necessary or desirable with respect to reimbursement through supplemental appropriation of funds to cover costs or losses arising from such emergency.

Restriction.

59 Stat. 598.
31 U. S. C. § 847.
Ante, p. 1076.

Emergency activity.

Report to Congress.

"250. SUBJECTION OF CORPORATION TO LAWS APPLICABLE TO NEW YORK COMPANY.—The corporation shall, so far as consistent with the terms of this article, be deemed subject to all provisions in treaties and in Acts of the Congress of the United States, now in force, which relate or apply to the New York company; and shall have all the rights, privileges, and exemptions, and be subject to all the obligations, liabilities, and responsibilities applicable to the New York company under or by virtue of such provisions.

"251. TAKING OVER OF ASSETS AND LIABILITIES OF, AND DISSOLUTION OF, NEW YORK COMPANY; RELEASE OF UNITED STATES TREATY RIGHTS IN ASSETS.—The corporation is authorized and directed to take over the assets and assume the liabilities of the New York company as of July 1, 1948. To accomplish the transfer of such assets to, and the assumption of such liabilities by, the corporation, and to accomplish the dissolution of the New York company, the two corporations are authorized and directed to take, under the supervision of the stockholder, whatever action shall be determined to be appropriate and necessary, whether by agreement, transfer, merger, consolidation, dissolution, or otherwise. Effective upon the transfer of such assets and the assumption of such liabilities, there are hereby released and transferred to the corporation all the right, title, and interest, in and to such assets, which the United States now has or may hereafter acquire by virtue of the convention of November 18, 1903, between the United

33 Stat. 2234.

States and the Republic of Panama; and, specifically, there are hereby released to the corporation any and all reversionary rights of the United States in the lands of the corporation located in the cities of Panama and Colon, Republic of Panama.

"252. REIMBURSEMENT OF OTHER AGENCIES.—The corporation shall reimburse the Civil Service and Canal Zone Retirement and Disability Funds for Government contributions to the retirement fund applicable to the corporation's employees, and the Employees' Compensation Fund, Bureau of Employees' Compensation, Federal Security Agency, for the benefit payments made to the corporation's employees, and shall also reimburse other Government agencies for any payments of a similar nature made on its behalf.

"253. PAYMENT OF EXCESS FUNDS INTO THE TREASURY.—The board of directors shall have the power and duty to appraise, at least annually, its necessary working capital requirements, together with reasonable foreseeable requirements for authorized plant replacement and expansion, and to pay into the Treasury as dividends the amount of funds in excess thereof. Such dividends shall be treated by the Treasury as miscellaneous receipts, but shall be treated on the books of the corporation as applicable to reduction of past or future direct Government capital contributions (as provided in section 246 (d) of this title) in determining the base for interest payments required under section 246 (c).

Ante, p. 1077.

"254. EMERGENCY FUND.—The corporation may borrow from a fund to be established and maintained in the Treasury, for any authorized purposes of the corporation, but for limited periods only, sums of money not to exceed a total of $10,000,000 outstanding at any one time. The fund shall be established by the deposit by the New York company with the Treasury on or before June 30, 1948, of the sum of $10,000,000 from the invested depreciation reserve funds presently maintained by the New York company, which amount, less any amounts borrowed therefrom by the corporation from time to time, shall be maintained by the Treasury as a separate fund. Amounts borrowed from said fund shall be paid over to the corporation by the Secretary of the Treasury, and repayments thereof shall be redeposited in said fund and will be available for subsequent loans. Loans to the corporation from this fund shall not bear interest.

"255. AMENDMENT OR REPEAL.—The right to alter, amend, or repeal this article is expressly reserved.

"256. SEPARABILITY CLAUSE.—If any provision of this article, or the application of such provision to any person or circumstances, is held invalid, the remainder of this article and the application of such provision to other persons and circumstances shall not be affected thereby."

Approved June 29, 1948.

[CHAPTER 707]

June 29, 1948
[S. J. Res. 158]
[Public Law 809]

JOINT RESOLUTION

To authorize the issuance of a special series of stamps commemorative of the eighty-fifth anniversary of Lincoln's Gettysburg Address.

Lincoln's Gettysburg Address.
Commemorative postage stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance on November 19, 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the eighty-fifth anniversary of Lincoln's Gettysburg Address.

Approved June 29, 1948.

[CHAPTER 708]

AN ACT

June 29, 1948
[H. R. 2744]
[Public Law 810]

To provide for the elimination of Regular Army and Regular Air Force officers and for the retirement of officers, warrant officers, and enlisted men of the Regular Army and the Regular Air Force, and to provide retirement benefits for members of the Reserve components of the Army of the United States, the Air Force of the United States, United States Navy and Marine Corps, and Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Army and Air Force Vitalization and Retirement Equalization Act of 1948."

Army and Air Force Vitalization and Retirement Equalization Act of 1948.

TITLE I

ELIMINATION

Removal of officers.

SEC. 101. Notwithstanding any other provision of law, the Secretary of the Army and the Secretary of the Air Force, for their respective services, are hereby authorized, for such causes as each may deem satisfactory, to remove any commissioned officer from the active list of the Regular Army or the Regular Air Force, as the case may be, in the manner hereinafter prescribed.

Selection board; duties.

SEC. 102. Immediately following the enactment of this Act, and once annually thereafter, the Secretary of the Army and the Secretary of the Air Force shall, for their respective services, each convene a selection board of five general officers, which shall review the records of all officers on the active list of the Regular Army or the Regular Air Force, as the case may be, to determine which of such officers shall be required to show cause why they should be retained on the active list. Selection of any officer to show cause for retention shall be based upon his failure to achieve such standards of performance as the cognizant Secretary shall by regulations prescribe.

Hearing.

SEC. 103. Any officer selected to show cause for retention shall be accorded a fair and impartial hearing before a Board of Inquiry, consisting of not less than three general officers, convened at such place or places as the cognizant Secretary may prescribe to receive evidence and to make findings and recommendations as to the officer's fitness to be retained on the active list. If the Board of Inquiry recommends the retention of any officer on the active list, his case shall thereupon be closed and shall not be subject to further action, except that such officer may again be selected to show cause for retention at any future time in accordance with the provisions of section 102 of this title.

Supra.

Board of review; duties.

SEC. 104. The Board of Inquiry shall forward the record of its proceedings in each case in which it recommends the removal of any officer from the active list to a board of review, consisting of not less than five general officers, convened by the cognizant Secretary at such time as he deems appropriate, to review each such case and make recommendations as to the retention of the officer concerned on the active list. If the Board of Review recommends the retention of any officer on the active list, his case shall thereupon be closed and shall not be subject to further action, except that such officer may again be selected to show cause for retention at any future time in accordance with the provisions of section 102 of this title. If the Board of Review recommends against the retention of any officer on the active list, such recommendation shall be transmitted to the cognizant Secretary for his action thereon. The action of the Secretary of the Army or the Secretary of the Air Force, as the case may be, in removing any officer

Supra.

Application for discharge or retirement.

Severance benefits.

Infra.

Notice to officer; rights.

Ante, p. 1081.

from the active list shall be final and conclusive: *Provided*, That at any time prior to his removal from the active list the application of any officer for honorable discharge or voluntary retirement under this Act or any other provision of law may, if the applicant is otherwise qualified therefor, be granted by the cognizant Secretary: *Provided further*, That any officer discharged on his own application under the provisions of this section shall be granted severance benefits as provided in section 106 (b).

SEC. 105. Any officer who is under consideration for removal from the active list shall be furnished written notice of the pendency of any proceedings for his removal, shall be afforded reasonable time for the preparation of his defense, shall be allowed to appear in person or by counsel at proceedings before any Board of Inquiry or any Board of Review, and shall, at all stages of the proceedings, be allowed full access to and furnished copies of records relevant to his case. No person shall sit as a member of more than one of the boards convened under sections 102, 103, or 104, of this title in the consideration of the case of the same officer.

SEC. 106. Each officer removed from the active list of the Regular Army or the Regular Air Force pursuant to this title shall—

Removal by retirement; pay and grade.

(a) if on the date of removal he is eligible for voluntary retirement under any provision of law then in effect, he shall be retired in the grade and with the retired pay to which he would be entitled if he were retired upon his own application;

Honorable discharge with severance pay.

(b) if on the date of removal he is not eligible for voluntary retirement, be honorably discharged in the grade then held, with severance pay equal to one month's base and longevity pay, being received at the date of such removal, multiplied by the number of years of his active Federal commissioned service: *Provided*, That the total severance pay shall not exceed one year's base and longevity pay so computed: *Provided further*, That a fractional part of a year amounting to six months or more shall be counted as a complete year for the purpose of computing amount of severance pay only.

Fractional year.

Prior removals.

SEC. 107. (a) Immediately following the enactment of this Act, the Secretary of the Army and the Secretary of the Air Force, for their respective services, shall transmit the records of all proceedings in the case of each person heretofore removed from the active list of the Regular Army or the Regular Air Force, as the case may be, pursuant to the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606), to a Board of Review convened under section 104 of this title. Each person so removed shall be notified of the reference of his case to such Board of Review, and shall be accorded opportunity to appear before the board in person or by counsel. After full and fair consideration of all the facts and circumstances of each such case as they existed at the time of removal, the board shall transmit to the Secretary of the Army or to the Secretary of the Air Force, as appropriate, a report thereon containing its findings of fact, its conclusion on the question whether such removal was justified, and its recommendation on the question whether the officer affected should be restored to the active list pursuant to the provisions of this section.

10 U. S. C. § 571 note; Supp. I, § 571 note.
Post, p. 1084.
Ante, p. 1081.
Notice.

Report to Secretary.

Restoration to active list.

(b) In each such case in which the Secretary of the Army or the Secretary of the Air Force approves a recommendation for the restoration of any person to the active list of the Regular Army or the Regular Air Force, he shall transmit the record of proceedings to the President, who is authorized and requested to appoint such person, by and with the advice and consent of the Senate, as a commissioned officer on the active list of the Regular Army or the Regular Air Force, as the case may be, in a grade determined by the following schedule: Officers with

Determination of grade.

less than three years of service for promotion purposes shall be appointed in the grade of second lieutenant; those with three or more, but less than seven years of such service, shall be appointed in the grade of first lieutenant; those with seven or more, but less than fourteen years of such service, shall be appointed in the grade of captain; those with fourteen or more, but less than twenty-one years of such service, shall be appointed in the grade of major; those with twenty-one or more, but less than twenty-eight years of such service, shall be appointed in the grade of lieutenant colonel: *Provided*, That (a) those with more than twenty-eight years of service for promotion purposes who are under sixty years of age shall be appointed to the active list in the permanent grade of lieutenant colonel and—

More than 28 years of service.
Persons under 60.

(A) shall until June 30, 1953, be eligible for selection to the permanent grade of colonel; and

(B) if not selected and promoted to the grade of colonel or retired under any other provision of law on or before June 30, 1953, shall on such date be retired in the highest grade to which he is entitled under any provision of law; or

(C) if promoted to the grade of colonel on the active list prior to such date, shall be retired under the laws applicable to the elimination and retirement of permanent colonels; and

Persons over 60.

(b) Those with more than twenty-eight years of service for promotion purposes who are sixty years of age or over shall be advanced on the retired list to the grade of colonel, and shall be entitled to receive the retired pay to which they would have been entitled if they had not been removed from the active list under the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606), but had been retired while serving in the permanent grade of colonel at the completion of twenty-eight years of service for promotion purposes. Each officer restored to the active list, and appointed in a grade as prescribed in this section, shall have his name placed on the appropriate promotion list among the officers of his grade in the same seniority standing as would have existed had such officer been continued on the active list. For promotion purposes and initial grade determination each officer so restored to the active list shall, upon appointment, have credited to him all service which he would have had if he had not been removed from the active list pursuant to the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606). In all other cases the action taken by the Secretary of the Army or the Secretary of the Air Force, for their respective services, shall be final and conclusive for all purposes. The cognizant Secretary shall transmit to each person affected a copy of the report made by the Board of Review in his case and written notice as to the disposition thereof.

10 U. S. C. § 571 note; Supp. I, § 571 note.
Post, p. 1084.
Promotion list.

Service credit.

10 U. S. C. § 571 note; Supp. I, § 571 note.
Post, p. 1084.

Copy of report.

(c) In determining length of active Federal commissioned service for all purposes of pay, allowances, appointment, promotion, and retirement, each person restored to the active list of the Regular Army or the Regular Air Force pursuant to the provisions of this section shall be deemed to have served as an officer on the active list of the service concerned from the date of his removal therefrom to the date of his restoration thereto, and upon restoration shall be carried as an additional number in the grade in which restored to the active list or in any grade to which he thereafter may be promoted. Each officer so restored shall be accorded all other rights, benefits, and privileges to which he would have been entitled if he had not been removed from the active list, except those based upon active service in time of war or emergency not in fact performed by him.

Determination of length of active service.

Additional number in grade.

(d) Each officer of the Regular Army heretofore removed from the active list pursuant to the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606), who on the date of such

10 U. S. C. § 571 note; Supp. I, § 571 note.
Post, p. 1084.

Disability retirement.

removal was (a) eligible for voluntary retirement under any provision of law then in effect, or (b) shall be determined by retiring board action to have been eligible for retirement for disability on such date, shall upon application therefor be placed upon the retired list in the grade and with the retired play and other benefits to which he would have been entitled if he had been so retired: *Provided*, That no officer restored to the active list pursuant to the provisions of this section shall be retired pursuant to the provisions of this subsection.

Restriction.

Regulations.

SEC. 108. (a) The Secretary of the Army and the Secretary of the Air Force may promulgate for their respective services such regulations as may be necessary to carry into effect the provisions of this title.

Back pay, allowances, etc.

(b) No back pay, allowances, or compensation shall accrue to any person by reason of the enactment of any provision of this title.

Repeals.

10 U. S. C. § 571 and note; Supp. I, § 571 note.

SEC. 109. Section 24b of the National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. 773), and the joint resolution of July 29, 1941 (55 Stat. 606), are hereby repealed: *Provided*, That all rights and benefits accrued under such laws prior to the date of enactment of this title shall hereafter remain in full force and effect.

TITLE II

RETIREMENT OF OFFICERS AND WARRANT OFFICERS OF THE REGULAR ARMY AND THE REGULAR AIR FORCE

Officers' retired list.

Publication.

SEC. 201. Effective upon the enactment of this title the Secretary of the Army and the Secretary of the Air Force shall each establish for their respective services an officers' retired list, to be published annually in the official Register of the service concerned, upon which shall be placed the names of all the commissioned officers of the Regular Army or the Regular Air Force, as the case may be, heretofore or hereafter retired from active service under any provision of law, without limit to the number of officers who may be placed thereon. Any provision of law requiring commissioned officers of the Regular Army or the Regular Air Force to be placed on the limited or unlimited retired list hereafter shall be deemed to refer to the officers' retired list established pursuant to this section.

10 U. S. C., Supp. I, § 971b.

Retirement; service requirements.

SEC. 202. That portion of section 5 of the Act of July 31, 1935 (49 Stat. 507), as amended by section 3 of the Act of June 13, 1940 (54 Stat. 380; 10 U. S. C. 943a, 971b), ending with the colon following the first proviso thereof is hereby further amended to read as follows: "That any officer on the active list of the Regular Army, the Regular Air Force, or Philippine Scouts or any officer of the reserve components of the Army of the United States or of the Air Force of the United States who shall have completed not less than twenty or more than thirty years' active Federal service in the armed forces of the United States, at least ten years of which shall have been active commissioned service, may in the discretion of the Secretary of the Army or the Secretary of the Air Force, as the case may be, be retired upon his own application with annual pay equal to 2½ per centum of the annual active duty base and longevity pay of the rank with which retired, multiplied by the number of years of service credited for longevity pay purposes and not to exceed a total of 75 per centum of such annual active duty base and longevity pay: *Provided*, That in computing the number of years of such service for the purpose of determining the percentage of active-duty annual pay, and for no other purpose, any fractional part of a year amounting to six months or more shall be counted as a complete year: *Provided further*, That for the purpose of determining years of service credited for longevity pay in the case of a general officer, such service shall be that which would

Fractional year.

Service credit for general officer.

be credited to such general officer if he were on the promotion list and serving in the grade of colonel."

Advancement on retired list.

SEC. 203. (a) Each commissioned officer of the Regular Army or of any reserve component of the Army of the United States, and each commissioned officer of the Regular Air Force or of any reserve component of the Air Force of the United States, heretofore or hereafter retired or granted retirement pay under any provision of law shall be advanced on the applicable officers' retired list to the highest temporary grade in which he served satisfactorily for not less than six months while serving on active duty, as determined by the cognizant Secretary, during the period September 9, 1940, to June 30, 1946, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay which he would receive if serving on active duty in such higher grade: *Provided*, That retired pay of such highest grade shall be without credit for service on the retired list.

Repeal.

(b) That the second proviso under the heading "Retired Officers" of the Act approved June 12, 1906 (34 Stat. 245; 10 U. S. C. 946), is hereby repealed.

10 U. S. C. § 594.

(c) That section 5 of the Act approved August 21, 1941 (55 Stat. 653), is hereby amended to read as follows:

Retirement of warrant officers.
Service requirement.

"SEC. 5. Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: *Provided*, That hereafter warrant officers may, in the discretion of the Secretary of the Army or the Secretary of the Air Force, whichever may be concerned, be retired after twenty years of active service: *Provided further*, That a warrant officer retired after twenty years of active service shall receive retired pay at the rate of 2½ per centum of the annual active duty base and longevity pay at the time of retirement multiplied by the number of years of service credited for longevity pay purposes and not to exceed 75 per centum of such annual, active duty base and longevity pay: *Provided further*, That a fractional year of six months or more shall be considered a full year in computing the number of years' service by which the rate of 2½ per centum is multiplied: *And provided further*, That any warrant officer heretofore or hereafter retired under any provision of law shall upon the completion of thirty years' service, to include the sum of his active service and his service on the retired list, be advanced on the retired list to the highest temporary officer, flight officer, or warrant officer grade satisfactorily held by him while serving on active duty as determined by the cognizant Secretary during the period September 9, 1940, to June 30, 1946, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which he would receive if serving on active duty in such higher grade at the time of retirement: *And provided further*, That any warrant officer, heretofore or hereafter retired for disability incident to service, if entitled to advanced retired grade and increased retired pay under the provisions of this title, shall receive such advanced grade and increased pay effective upon the enactment of this title or upon his retirement, whichever is later."

Retired pay.

Fractional year.

Advancement on retired list.

Disability retirement.

Army Nurse Corps, etc.
10 U. S. C. §§ 161–163, 782, 783, 850; Supp. I, §§ 161–163, 782, 783 notes.
10 U. S. C. §§ 81 note, 164 and note; Supp. I, §§ 81, 164 notes; 37 U. S. C. § 113 note; Supp. I, § 113 note.
50 U. S. C. app. §§ 1591–1598; Supp. I, § 1591 note.
10 U. S. C., Supp. I, §§ 166–166*l*.

(d) Each member of the Army Nurse Corps, established by chapter V of the Act of July 9, 1918 (40 Stat. 879), as amended, each female dietitian or physical therapist appointed pursuant to the Act of December 22, 1942 (56 Stat. 1072), each female officer appointed pursuant to the Act of June 22, 1944 (58 Stat. 324), and each member of the Army Nurse Corps or Women's Medical Specialist Corps appointed pursuant to Public Law 36, Eightieth Congress (61 Stat. 41), heretofore or hereafter retired under any provision of law shall be advanced on the retired list to a grade with relative rank equal to the highest

grade in which, or to the highest relative or commissioned rank with which, she served satisfactorily on active duty, as determined by the Secretary of the Army, during the period September 9, 1940, to June 30, 1946, whichever is higher, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which she would receive if serving on active duty in such grade or with such relative or commissioned rank.

Enlisted men with 30 years' service.

(e) Each enlisted man of the Regular Army or the Regular Air Force heretofore or hereafter retired under any provision of law, shall upon the completion of thirty years of service, to include the sum of his active service and his service on the retired list, be advanced to the highest temporary commission, warrant, or enlisted grade satisfactorily held by him while serving on active duty, as determined by the cognizant Secretary, during the period September 9, 1940, to June 30, 1946, and shall receive retirement pay at the rate prescribed by law for his length of service at the time of retirement but based upon such higher temporary rank or grade: *Provided*, That any enlisted man heretofore or hereafter retired for disability incident to service, if entitled to advanced retired grade and increased retired pay under the provisions of this title, shall receive such advanced grade and increased pay effective upon the enactment of this Act or upon his retirement, whichever is later.

Disability retirement.

Advancement of officers on retired list.

(f) Each commissioned officer of the Regular Army or of any reserve component of the Army of the United States, and each commissioned officer of the Regular Air Force or of any reserve component of the Air Force of the United States, retired or granted retirement pay under any provision of law on or after August 7, 1947, but not later than January 1, 1957, while serving on active duty in a temporary grade not higher than that of major general shall be advanced on the applicable officers' retired list to such grade, and shall receive retired or retirement pay at the rate prescribed by law, computed on the basis of the base and longevity pay which he would receive if serving on active duty in such higher grade: *Provided*, That computation on the basis of pay of such highest grade shall be made without benefit of longevity credit for retired list service. No officer shall be ordered to active duty or promoted to any higher temporary grade solely for the purpose of entitling him to retirement in advanced grade pursuant to this subsection.

Limitation.

Restoration to former status.

SEC. 204. Enlisted men and warrant officers of the Regular Army or Regular Air Force hereafter advanced to commissioned rank or grade on the retired list pursuant to section 203 (c) or 203 (e) of this title, shall, if application therefor is made to the Secretary of the Army or Secretary of the Air Force within three months from the date of approval of this title or within three months after the date of the advancement to commissioned rank or grade on the retired list, whichever is the later, and subject to the approval of the Secretary of the Army or Secretary of the Air Force, be restored to their former retired enlisted, or warrant officer status, as the case may be, and shall thereafter be deemed to be enlisted or warrant officer personnel, as appropriate, for all purposes.

Ante, p. 1085; *supra*.

Regulations.

SEC. 205. (a) The Secretary of the Army and the Secretary of the Air Force may promulgate for their respective services such regulations as may be necessary to carry into effect the provisions of this title.

(b) Nothing contained in this title shall be construed to deprive any person of any higher retired grade or rank, or any greater retired or retirement pay to which he or she may be entitled under any other provision of law. No back pay or allowances prior to the date of enactment of this title shall accrue to any person by reason of the enactment thereof.

Back pay or allowances.

TITLE III

RETIREMENT WITH PAY OF OFFICERS AND ENLISTED PERSONNEL OF THE NATIONAL GUARD AND RESERVE CORPS OF THE ARMY OF THE UNITED STATES, THE RESERVE COMPONENTS OF THE AIR FORCE OF THE UNITED STATES, THE UNITED STATES NAVAL AND MARINE CORPS RESERVE, AND THE UNITED STATES COAST GUARD RESERVE

Army of U. S. and Air Force of U. S. Retired Lists.

SEC. 301. (a) The Secretary of the Army is authorized to establish the Army of the United States Retired List and the Secretary of the Air Force is authorized to establish the Air Force of the United States Retired List, to be published annually in the official Register of the service concerned, upon which respectively shall be placed the names of all commissioned officers and former commissioned officers of the Army of the United States or the Air Force of the United States, as the case may be, other than those of the Regular Army or the Regular Air Force, heretofore or hereafter granted retirement pay under section 5 of the Act of April 3, 1939 (53 Stat. 557, as amended, 10 U. S. C. 456), section 1 of the Act of September 26, 1941 (55 Stat. 733, 10 U. S. C. 456a), and section 302 of this title, or any law hereafter enacted to provide retirement pay for commissioned officers other than those of the Regular Army or the Regular Air Force, and the names of all warrant officers and enlisted men of the Regular Army or the Regular Air Force heretofore or hereafter retired under any provision of law who, by reason of service in temporary commissioned grades in the Army of the United States or the Air Force of the United States, or in any of the respective components thereof, are entitled to be retired with commissioned rank or grade.

Publication.

Infra.

U. S. Naval Reserve Retired List.

(b) The Secretary of the Navy is authorized to establish a United States Naval Reserve Retired List to include the names of all officers and enlisted personnel of the Naval and Marine Corps Reserve who are granted retired pay under the provisions of this title, the provisions of Public Law 305, Seventy-ninth Congress, or any law hereafter enacted to provide retired pay for such officers and enlisted personnel.

60 Stat. 26.
34 U. S. C. §§ 419-419b, 410a-410e, 350l; Supp. I, § 410a *et seq.*; 50 U. S. C. app. § 778; Supp. I, § 778 note.

Retirement.

SEC. 302. (a) Any person who, upon attaining or having attained the age of sixty years, has performed satisfactory Federal service as defined in this section in the status of a commissioned officer, warrant officer, flight officer, or enlisted person in the Army of the United States or the Air Force of the United States, including the respective reserve components thereof, and also including the federally recognized National Guard prior to 1933, the United States Navy including the reserve components thereof, the United States Marine Corps, including the reserve components thereof, or the United States Coast Guard, including the reserve components thereof, and has completed an aggregate of twenty or more years of such satisfactory service in any or all of the aforesaid services, shall, upon application therefor, be granted retired pay: *Provided*, That for the purposes of this section the last eight years of qualifying service for retirement under this title must have been service as a member of a reserve component except that any member of a reserve component of the Air Force of the United States shall be entitled to include service as a member of a reserve component of the Army of the United States performed on or prior to July 26, 1949: *Provided further*, That for the purposes of this subsection, simultaneous service as a member of a reserve component and as a member of the Regular Army, Navy, Air Force, or Marine Corps, shall not be deemed to be service in a reserve component: *Provided further*, That no person who was a member of a reserve component on or before August 15, 1945, shall be eligible for retirement benefits under this title unless he performed active Federal service during any portion of either of the two periods beginning April 6, 1917, and

Reserve service requirements.

Limitation.

ending November 11, 1918, and beginning September 9, 1940, and ending December 31, 1946.

Computation of service credit.

(b) Subsequent to the enactment of this Act, a year of satisfactory Federal service, for the purposes of this section only, shall consist of any year in which a person is credited with a minimum of fifty points, which points shall be credited on the following basis:

(1) One point for each day of active Federal service;

(2) One point for each drill or period of equivalent instruction, such drills and periods of equivalent instruction to be restricted to those prescribed and authorized by the Secretary of the respective service for the year concerned, and to conform to the requirements prescribed by other provisions of law;

(3) Fifteen points for membership in a reserve component for each year of Federal service other than active Federal service.

(c) Each year of service as a member of a reserve component prior to the enactment of this Act shall be deemed to be a year of satisfactory Federal service for the purposes of this section, subject to the provisions of subsection (e) of section 306 of this Act.

Post, p. 1090.

(d) Application for retirement with pay made pursuant to this section shall be submitted to the Secretary of the service in which the applicant last served or is serving at the time of such submission.

Retention after 60.

(e) Any person who, upon attaining the age of sixty years, has qualified for retirement with pay pursuant to this title, may, with his consent and by order of the cognizant Secretary, be retained on duty to perform Federal service. Any person so retained shall be credited with equivalent periods of Federal service for the performance of such duties.

Rate of retired pay.

SEC. 303. Any person granted retired pay pursuant to the provisions of this title shall receive such pay at an annual rate equal to 2½ per centum of the active duty annual base and longevity pay which he would receive if serving, at the time granted such pay, on active duty in the highest grade, temporary or permanent, satisfactorily held by him during his entire period of service, multiplied by a number equal to the number of years and any fraction thereof (on the basis of three hundred and sixty days per year) which shall consist of the sum of the following:

(i) All periods of active Federal service;

(ii) One day for each point credited pursuant to subparagraphs (2) and (3) of subsection (b) of section 302 of this Act, but no more than sixty days shall be credited on this basis in any one year for the purposes of this section:

Limitation.

Provided, That no person shall be entitled to receive such retired pay at an annual rate in excess of 75 per centum of said active duty pay:

Service credit.

Provided further, That for each year of Federal service, other than active Federal service, performed as a member of a reserve component prior to the date of enactment of this Act and credited in accordance with subsection (c) of section 302 of this title, such member shall be credited with fifty days for each of such years, for the purposes of this section.

Supra.

Standards and qualifications for retention or promotion.

SEC. 304. As soon as may be practicable after the effective date of this title, the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy shall, by regulations not inconsistent with this or any other Act, prescribe (a) appropriate standards and qualifications for the retention or promotion of members of reserve components of the Army of the United States, the Air Force of the United States, and the United States Navy and the Marine Corps, respectively, and (b) appropriate and equitable procedures under which the compliance by each member of each such reserve component

with such standards and qualifications shall be determined periodically. Whenever any member of any such reserve component thereafter shall fail to conform to the standards and qualifications so prescribed he shall be transferred to an inactive reserve status if qualified for such status, retired without pay if qualified for such retirement, or his appointment or enlistment shall be terminated. Such action shall effect a termination of such person's right to accrue retirement benefits under this title but shall not affect any rights which have accrued prior to the time that such action shall have been taken with respect to such person: *Provided further*, That the Secretary of the Navy with respect to personnel of the Navy and Marine Corps, including the reserve components thereof, shall determine what has constituted, prior to the date of enactment of this title, satisfactory performance of Federal service other than active Federal service.

Procedure on nonconformance with standards.

Termination of retirement benefits.

SEC. 305. The provisions of this title shall not be applicable to any officer or enlisted person of the Regular or reserve components of the Army, Navy, Air Force, or Marine Corps who, prior to or subsequent to the date of enactment of this title, is entitled to receive, or is receiving under any other provision of law, retired pay for military or naval service, including retainer pay as a transferred member of the Fleet Reserve. No period of service otherwise creditable in determining the eligibility of any person to receive, or the amount of, any annuity, pension, or old-age benefit payable under any provision of law on account of civilian employment, in the Federal Government or otherwise, shall be excluded in such determination because such period of service may be included, in whole or in part, in determining the eligibility of such person to receive, or the amount of, any retired pay payable under this title.

Inapplicability of provisions.

SEC. 306. For the purposes of this title—

"Federal service."

(a) The term "Federal service" shall be deemed to include all active Federal service and all service in a reserve component other than active Federal service, or both, except as provided in (e) and (f) below.

(b) Satisfactory Federal service or Federal service satisfactorily performed, as used in this title in referring to Federal service herein mentioned, shall be deemed to mean that the person concerned shall have conformed to such standards and qualifications as may have been required of him.

(c) Service in a reserve component, as used in this title, shall consist of service in the following organizations, and shall be deemed to be Federal service for the purposes of this title—

(1) the National Guard of the United States;

(2) the National Guard while in the service of the United States;

(3) the federally recognized National Guard prior to 1933;

(4) a federally recognized status in the National Guard prior to 1933;

(5) the Officers' Reserve Corps and the Enlisted Reserve Corps prior to the enactment of Public Law 460, Eightieth Congress, approved March 25, 1948;

Ante, p. 87.

(6) the Organized Reserve Corps;

(7) the Army of the United States without component;

(8) the Naval Reserve and the Naval Reserve Force, excluding those members of the Fleet Reserve and the Fleet Naval Reserve transferred thereto after completion of sixteen or more years of active naval service;

(9) the Marine Corps Reserve and the Marine Corps Reserve Force, excluding those members of the Fleet Marine Corps

Reserve transferred thereto after completion of sixteen or more years of active naval service;

(10) the Limited Service Marine Corps Reserve;

(11) the Naval Militia who have conformed to the standards prescribed by the Secretary of the Navy; and

(12) the National Naval Volunteers;

(13) the Air National Guard;

(14) the Air Force Reserve (Officers or Enlisted sections);

(15) the Air Force of the United States without component; and

(16) the Coast Guard Reserve.

"Active Federal service."

(d) The term "active Federal service" shall include all periods of annual training duty and all prescribed periods of attendance at such service schools as have been, or may be designated as such by the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force for their respective services, or by law, or any other period of time when ordered to active duty under competent Federal orders.

(e) With respect to personnel of the Army or the Air Force, service in the inactive National Guard or Air National Guard, in a non-federally recognized status in the National Guard or Air National Guard, or in an inactive Reserve section of the Officers' Reserve Corps or an inactive officers' section of the Air Force Reserve shall not be deemed to be Federal service.

(f) Subject to the provisions of subsection (d) hereof, service on the Honorary Retired List of the Naval and Marine Corps Reserves shall not be deemed to be Federal service.

Rules and regulations.

SEC. 307. The Secretary of the Army with respect to personnel of the Army, the Secretary of the Navy with respect to the personnel of the Navy and Marine Corps, and the Secretary of the Air Force with respect to personnel of the Air Force, are authorized to prescribe such rules, regulations, and procedures as they may deem necessary to effectuate the provisions of this title.

Transfer to inactive status list.

SEC. 308. Any person who has not attained the age of sixty years but is eligible in all other respects to receive retired pay under the provisions of this title may, at his own request, and by the direction of the Secretary of the cognizant service, be transferred to such inactive status list as has been, or may be established by law or regulation for the reserve components of the Army of the United States, Navy, Air Force of the United States, or Marine Corps. After the effective date of such transfer he shall not be required to participate in any training or other program prescribed for said reserve components, and he shall not be entitled to be credited with either additional active Federal service or additional Federal service in a reserve component other than active Federal service for the purpose of this title while he is in an inactive status. Any such person may, in the discretion of the cognizant service Secretary, be recalled to active status at any time, and if so recalled, he shall be credited with active Federal service or Federal service in a reserve component other than active Federal service, or both for the performance of such duty.

Recall to active status.

Restriction.

SEC. 309. Service as a member of a reserve component shall be subject to the requirements of the military services and appropriations available therefor from time to time. No person shall be ordered to active Federal Service for the sole purpose of qualifying for retirement benefits under this title.

Back pay or allowances.

SEC. 310. No back pay or allowances for any period prior to the date of enactment thereof shall accrue to any person by reason of enactment of this title.

Applicability to Coast Guard Reserve.

SEC. 311. The provisions of this title, except as may be necessary to adapt the same thereto shall apply to personnel of the Coast Guard

Reserve in relationship to the Coast Guard in the same manner and to the same extent as they apply to personnel of the Naval and Marine Corps Reserve in relationship to the Navy: *Provided*, That wherever authority is given to the Secretary of the Navy, similar authority shall be deemed to be given to the Secretary of the Treasury to be exercised with respect to the Coast Guard except at such time or times as the Coast Guard may be operating under the Secretary of the Navy.

Effective date.

SEC. 312. The provisions of this title shall become effective for each of the services concerned when directed by the cognizant Secretary, but not later than the first day of the seventh month following the date of enactment.

Appropriation authorized.

SEC. 313. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act.

Approved June 29, 1948.

[CHAPTER 709]

AN ACT

June 29, 1948
[H. R. 6634]
[Public Law 811]

To authorize the issuance of a special series of stamps in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea.

Moina Michael. Commemorative postage stamp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare, for issuance at as early a date as practicable, a special series of 3-cent postage stamps, of such design as he shall prescribe, in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea.

Approved June 29, 1948.

[CHAPTER 710]

JOINT RESOLUTION

June 29, 1948
[H. J. Res. 305]
[Public Law 812]

Authorizing the issuance of a special series of stamps commemorative of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer United States Cavalry) of the Spanish-American War.

Rough Riders. Commemorative postage stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to prepare for issuance, on as early a date as practicable, a special series of 3-cent postage stamps in commemoration of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer United States Cavalry) of the Spanish-American War. Such stamps shall be of an appropriate design, which shall include a picture of the equestrian statue standing in the city of Prescott, Arizona, of Captain William Owen "Bucky" O'Neill, who commanded Troop A of the Rough Riders (First Volunteer United States Cavalry) who was killed in action while gallantly leading his men in the Battle of San Juan Hill, Cuba, on July 1, 1898.

Approved June 29, 1948.

[CHAPTER 711]

AN ACT

June 29, 1948
[S. 2225]
[Public Law 813]

To transfer administration of the Federal Credit Union Act to the Federal Security Agency.

Federal Credit Union Act.
Transfer of certain functions to Federal Security Agency.
48 Stat. 1216.
12 U. S. C., Supp. I, §§ 1751–1769 notes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all functions, powers, and duties of the Farm Credit Administration and of the Governor thereof under the Federal Credit Union Act, as amended (U. S. C., title 12, secs. 1751–1772), together with the functions of the Secretary of Agriculture with respect thereto, which were transferred

61 Stat. 952.
5 U. S. C., Supp. I, § 133y-16 note.

to the Federal Deposit Insurance Corporation by Reorganization Plan Numbered 1 of 1947, part IV, section 401, are hereby transferred to the Federal Security Agency.

Bureau of Federal Credit Unions.

SEC. 2. There is hereby established in the Federal Security Agency a Bureau of Federal Credit Unions, which shall be under the supervision of a Director appointed by the Federal Security Administrator. The Bureau of Federal Credit Unions and the Director thereof shall be under the general direction and supervision of the Federal Security Administrator.

Duties, etc.

The functions, powers, and duties of the Farm Credit Administration under the Federal Credit Union Act, as amended, shall be exercised by the Bureau of Federal Credit Unions. The functions, powers, and duties of the Governor of the Farm Credit Administration under the Federal Credit Union Act, as amended, shall be exercised by the Director of the Bureau of Federal Credit Unions.

Transfer of property, etc.

SEC. 3. There are hereby transferred to the Federal Security Agency, to be used in the administration of the functions hereby transferred, (a) all property, including office equipment, transferred to the Federal Deposit Insurance Corporation pursuant to Executive Order 9148 of April 27, 1942, and in use on the effective date of this Act; (b) all property, including office equipment, purchased by the Corporation for use exclusively in connection with the administration of the Federal Credit Union Act, as amended, the cost of which has been charged to such functions and which is in use on the effective date of this Act; (c) all records and files pertaining exclusively to the supervision of Federal Credit Unions; and (d) all personnel employed primarily in the administration of the Federal Credit Union Act, as amended, on the effective date of this Act.

12 U. S. C. § 1751 note.

48 Stat. 1216.
12 U. S. C. §§ 1751-1772; Supp. I, §§ 1751-1769 notes.

Transfer of funds.

SEC. 4. All funds allocated, specifically or otherwise, in the budget of the Federal Deposit Insurance Corporation for the administration of the Federal Credit Union Act, as amended, during the fiscal year ending June 30, 1949, which may be unexpended on the effective date of this Act, shall be transferred by the Corporation to the Federal Security Agency for use in the administration of the Federal Credit Union Act, as amended.

Reimbursement of Federal Deposit Insurance Corporation.

The Corporation shall be reimbursed for the funds so transferred and shall also be reimbursed for all other funds expended by it prior to the effective date of this Act in the administration of the Federal Credit Union Act, as amended, in excess of fees from Federal credit unions received by the Corporation, by deducting such amounts from the first moneys payable to the Secretary of the Treasury on account of the retirement of the stock of the Federal Deposit Insurance Corporation owned by the United States, and the Corporation shall have a charge on such stock for such amounts.

Effective date.

SEC. 5. This Act shall become effective on the thirtieth day following the date of enactment.

Approved June 29, 1948.

[CHAPTER 712]

JOINT RESOLUTION

June 29, 1948
[S. J. Res. 202]
[Public Law 814]

To change the name of the Potholes Dam in the Columbia Basin project to O'Sullivan Dam.

O'Sullivan Dam.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam known as Potholes Dam in the Columbia Basin project shall hereafter be known as O'Sullivan Dam, and any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Potholes Dam shall be held to refer to such dam under and by the name O'Sullivan Dam.

Approved June 29, 1948.

[CHAPTER 713]

AN ACT

To provide for the training of air-traffic control-tower operators.

June 29, 1948
[S. 3]
[Public Law 815]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 of the Civil Aeronautics Act of 1938, as amended, is amended by adding a new subsection (d) to read as follows:

Civil Aeronautics Act of 1938, amendment.
52 Stat. 985.
49 U. S. C. § 452.
Post, p. 1216.

"(d) (1) The Administrator is authorized, within the limits of available appropriations made by the Congress, to train civilian and governmental air-traffic control-tower operators or to conduct programs for such training, including studies and researches as to the most desirable qualifications for air-traffic control-tower operators. Such training or programs shall be conducted pursuant to such regulations as the Administrator may from time to time prescribe, including such fees as the Administrator may deem necessary or desirable. Such training or programs may be carried out by the Administrator either through the use of his own facilities and personnel or by contracts with educational institutions, or other persons.

Training of air-traffic control-tower operators.

"(2) The Administrator is authorized to lease or accept loans of such real property, and to purchase, lease, exchange, or accept loans of such personal property and facilities, and to repair, maintain, and operate such property and such facilities, as may be necessary or desirable for carrying out the provisions of this section.

Lease, etc., of property.

"(3) For the purpose of carrying out his functions under this section, the Administrator is authorized to exercise all powers conferred upon him by any other provisions of this Act and to appoint and fix the compensation for instructors, airmen, medical and other professional examiners, and experts in training or research without regard to the provisions of the civil-service laws or the Classification Act of 1923, as amended. The provisions of section 3709 of the Revised Statutes shall not apply to contracts with educational institutions and other persons for the use of aircraft, control towers, or other facilities or for the performance of services authorized by this section.

42 Stat. 1488.
5 U. S. C. §§ 661–674.
41 U. S. C. § 5.

"(4) Any executive department or independent establishment is hereby authorized to cooperate with the Administrator in carrying out the purposes of this section, and for such purposes may lend or transfer to the Administrator, by contract or otherwise, or if so requested by the Administrator, lend to educational institutions or other persons cooperating with the Administrator in the conduct of any such training or program, officials, experts, or employees, aircraft, control towers and other property or equipment, and lands or buildings under its control. For the purposes of this section, the Administrator shall have the power to accept and utilize voluntary and uncompensated services, equipment, facilities, and information of any State, Territory, or political subdivision, or any agency thereof.

Cooperation of government agencies.

Voluntary services.

"(5) Any executive department or independent establishment is hereby authorized to detail personnel of such executive department or independent establishment to be trained as provided herein at Government expense: *Provided*, That no such personnel shall lose their individual status or seniority rating in the executive department or independent establishment merely by reason of absence due to such training.

Detail of personnel.

"(6) There are hereby authorized to be appropriated such sums as may be necessary for the purpose of carrying out the provisions of this section."

Appropriation authorized.

Approved June 29, 1948.

[CHAPTER 714]

AN ACT

June 29, 1948
[S. 239]
[Public Law 816]

To provide for a Board of Visitors to the United States Naval Academy and for a Board of Visitors to the United States Military Academy, and for other purposes.

U. S. Naval and Military Academies. Boards of Visitors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed on or before the last day of every year a Board of Visitors to the United States Naval Academy and a Board of Visitors to the United States Military Academy.

Composition.

SEC. 2. Each Board shall be constituted as follows:

(a) The chairman of the Committee on Armed Services of the Senate or his designee;

(b) Three other Members of the Senate to be appointed by the Vice President or President pro tempore of the Senate, two of whom shall be members of the Committee on Appropriations of the Senate;

(c) The chairman of the Committee on Armed Services of the House of Representatives or his designee;

(d) Four other Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, two of whom shall be members of the Committee on Appropriations of the House of Representatives; and

(e) Six persons to be appointed by the President. The first Board to be appointed pursuant to the provisions of this Act shall, with respect to the nine Presidential appointees, consist of two persons appointed to serve for a period of one year, two persons appointed to serve for a period of two years, and two persons appointed to serve for a period of three years. Two Presidential appointees shall be appointed to each subsequent Board to serve for a period of three years.

Death or resignation of board member.

SEC. 3. In case of the death or resignation of a member of a Board during the term for which such member was appointed, a successor shall be appointed for the unexpired portion of the term. Such successor shall be appointed by the official, or his successor, who appointed the member who died or resigned.

Visits to Academies.

SEC. 4. Each Board shall visit the respective Academy for which it is appointed once annually in April, and each Board or the individual members thereof may, with the approval of the Secretary of the Navy or the Secretary of the Army, as the case may be, make such other visits on matters pertaining to the duties of the Board, or for purposes of consulting with the respective Superintendents of the Academies, as the Board or its members may determine to be desirable.

Duties.

SEC. 5. (a) It shall be the duty of each Board to inquire into the state of morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy concerned which the Board may decide to consider.

Report to President.

(b) Each Board shall, within sixty days after the meeting designated as the annual visit, submit a written annual report to the President regarding its action as such Board, together with its views and recommendations pertaining to the Academy concerned. Any report based on a visit other than the annual visit shall be submitted by the originator or originators thereof to the President within sixty days after approval of said report by at least a majority of the members of the Board.

Consultation with advisers.

(c) Each Board is authorized to call into consultation upon prior approval of the Secretary of the Navy or the Secretary of the Army, as the case may be, such advisers as it may deem necessary or advisable to effectuate the duties imposed upon it by the provisions of this Act.

Compensation.

SEC. 6. (a) Each member of each Board shall receive not more than

$5 per day and be reimbursed under Government travel regulations for actual expenses of travel while performing duties as a member of either Board.

(b) Advisers called for consultation by either Board in connection with the business of the Board shall be compensated in the same manner as members of the Boards in accordance with the provisions of subsection (a) of this section. Compensation of advisers.

SEC. 7. That part of the Act of August 29, 1916, entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes", which relates to the Board of Visitors to the United States Naval Academy (39 Stat. 608) and reads as follows: "From and after the passage of this Act there shall be appointed every year, in the following manner, a Board of Visitors, to visit the academy, the date of the annual visit of the board aforesaid to be fixed by the Secretary of the Navy: Seven persons shall be appointed by the President and four Senators and five Members of the House of Representatives shall be designated as visitors by the Vice President or President pro tempore of the Senate and the Speaker of the House of Representatives, respectively, in the month of January of each year. The chairman of the Committee on Naval Affairs of the Senate and chairman of the Committee on Naval Affairs of the House of Representatives shall be ex officio members of said board. Repeals. 34 U. S. C. § 1081.

"Each member of said board shall receive while engaged upon duties as a member of the board not to exceed $5 a day and actual expenses of travel by the shortest mail routes", is hereby repealed.

SEC. 8. (a) So much of the provision of the Act of August 9, 1912, entitled "An Act making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", which provides as follows: "*Provided*, That the Act approved May twenty-eighth, nineteen hundred and eight, be amended and reenacted so as to read as follows: That hereafter the Board of Visitors to the Military Academy shall consist of five members of the Committee on Military Affairs of the Senate and seven members of the Committee on Military Affairs of the House of Representatives, to be appointed by the respective chairmen thereof; the members so appointed shall visit the Military Academy annually at such time as the chairman of said committees shall appoint, and the members from each of said committees may visit said academy together or separately as the said committees may elect during the session of Congress; and the superintendent of the academy and the members of the Board of Visitors shall be notified of such date by the chairmen of the said committees. The expenses of the members of the board shall be their actual expenses while engaged upon their duties as members of said board not to exceed five dollars per day and their actual expenses of travel by the shortest mail routes" is hereby repealed. 37 Stat. 257. 10 U. S. C. §§ 1051, 1053. 35 Stat. 436.

(b) The Act of May 17, 1928, entitled "An Act to provide for the membership of the Board of Visitors to the United States Military Academy, and for other purposes" (45 Stat. 597), is hereby repealed. 10 U. S. C. §§ 1052a, 1054a.

Approved June 29, 1948.

[CHAPTER 715]

AN ACT

Relating to the arming of American vessels.

June 29, 1948
[S. 1107]
[Public Law 817]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during time of war or national emergency the President is authorized, through such Arming of American vessels.

agency or agencies of the National Military Establishment as he may designate, to arm, or to permit or cause to be armed, any American vessel as defined in the Neutrality Act of 1939. For the purposes of this Act, the term "national emergency" means any time at which the President determines that the security of the United States is threatened through the application, or imminent danger of the application, of physical force by any foreign government or agency against the United States, its citizens, their property, or commercial interests. The provisions of section 16 of the Criminal Code (relating to bonds from armed vessels on clearing) shall not apply to any such vessel.

54 Stat. 12.
22 U. S. C. § 456 (d).
"National emergency."

18 U. S. C. § 28.
Ante, p. 683.

SEC. 2. The provisions of this Act shall become effective on July 1, 1948.

Effective date.

Approved June 29, 1948.

[CHAPTER 716]

June 29, 1948
[S. 1447]
[Public Law 818]

AN ACT

To prohibit the importation of foreign wild animals and birds under conditions other than humane, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 241 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909 (U. S. C., title 18, sec. 391), is amended to read as follows:

Importation of birds and animals.

35 Stat. 1137.
Ante, p. 864.

"SEC. 241. (a) The importation into the United States or any Territory or district thereof, of the mongoose, the so-called 'flying foxes' or fruit bats, the English sparrow, the starling, and such other birds and animals as the Secretary of the Interior may from time to time declare to be injurious to the interests of agriculture or horticulture, is hereby prohibited; and all such birds and animals shall, upon arrival at any port of the United States, be destroyed or returned at the expense of the owner. Nothing in this subsection shall restrict the importation of natural-history specimens for museums or scientific collections, or of certain cage birds, such as domesticated canaries, parrots, or such other birds as the Secretary of the Interior may designate. The Secretary of the Treasury is hereby authorized to make regulations for carrying into effect the provisions of this subsection and subsection (b).

Restrictions.

"(b) The Secretary of the Treasury shall prescribe such requirements and issue such permits as he may deem necessary for the transportation of wild animals and birds under humane and healthful conditions, and it shall be unlawful for any person, including any importer, knowingly to cause or permit any wild animal or bird to be transported to the United States, or any Territory or district thereof, under inhumane or unhealthful conditions or in violation of such requirements. In any criminal prosecution for violation of this subsection and in any administrative proceeding for the suspension of the issuance of further permits—

Transportation permits, requirements.

"(1) the condition of any vessel or conveyance, or the enclosures in which wild animals or birds are confined therein, upon its arrival in the United States, or any Territory or district thereof, shall constitute relevant evidence in determining whether the provisions of this subsection have been violated; and

"(2) the presence in such vessel or conveyance at such time of a substantial ratio of dead, crippled, diseased, or starving wild animals or birds shall be deemed prima facie evidence of the violation of the provisions of this subsection."

Approved June 29, 1948.

[CHAPTER 717]

AN ACT

To provide for an air parcel-post service, and for other purposes.

June 29, 1948
[S. 2281]
[Public Law 819]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the rate of postage on mailable matter exceeding eight ounces in weight, but not weighing more than seventy pounds nor measuring more than one hundred inches in length and girth combined, when carried by air and including other transportation to and from air-mail routes, shall, except as otherwise herein provided, be determined on the basis of the eight postal zones established for fourth-class matter, as follows:

Air parcel-post service.

Postage rates.

(1) For delivery within the first or second zones, 55 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 4 cents for each additional pound or fraction thereof.

(2) For delivery within the third zone, 60 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 8 cents for each additional pound or fraction thereof.

(3) For delivery within the fourth zone, 65 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 14 cents for each additional pound or fraction thereof.

(4) For delivery within the fifth zone, 70 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 24 cents for each additional pound or fraction thereof.

(5) For delivery within the sixth zone, 75 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 33 cents for each additional pound or fraction thereof.

(6) For delivery within the seventh zone, 75 cents for the first pound, or fraction of a pound in excess of eight ounces, plus 45 cents for each additional pound or fraction thereof.

(7) For delivery within the eighth zone, which, with respect to air parcel post, shall include all offices located in continental United States beyond the seventh zone, 80 cents for the first pound or fraction thereof over eight ounces, plus 65 cents for each additional pound or fraction thereof.

(8) For air parcels exchanged between offices in continental United States and offices in Territories and possessions of the United States, in either direction, and between offices within such Territories and possessions, the applicable zone rate shown in paragraphs (1) to (6) of this section shall apply to and including the seventh zone: *Provided*, That for offices falling in the eighth zone the rate of postage for air parcels weighing in excess of eight ounces shall be 80 cents for each pound or fraction thereof.

Surcharge.

(9) Mailable matter of light weight in relation to size shall be subject to such surcharge as may be determined by the Postmaster General to be warranted by reason of the extra space and care required in handling and transporting such mail matter.

(10) The Postmaster General is authorized and directed to make such rules and regulations, not inconsistent with the Civil Aeronautics Act of 1938 (52 Stat. 973), as amended, or any order, rule, or regulation made by the Civil Aeronautics Board thereunder, as may be necessary for the safe and expeditious transportation by air of mail matter weighing in excess of eight ounces.

49 U. S. C. §§ 401-681; Supp. I, § 421 *et seq.*
Ante, pp. 470, 493, 494, 1093; *post*, p. 1216.

Adjustment of postage rates, zones, etc.

(11) The Postmaster General is further authorized and directed for the period of two years, notwithstanding the provisions of paragraphs (1) to (9), inclusive, of this section, to adjust from time to time the weight limit, size, rate of postage, zone or zones or conditions, or either, in order to promote the service to the public and assure the receipt of revenue from such service adequate to pay the cost thereof.

Lease of quarters at public airports.

SEC. 2. The Postmaster General is hereby authorized, in the disbursement of the appropriation for domestic air-mail service, to apply a part thereof to the purpose of leasing suitable quarters at public airports for use in the handling and distribution of air mail at a reasonable rental to be paid quarterly or monthly, for a term not exceeding twenty years.

60 Stat. 1062.
39 U. S. C. § 463.
Post, p. 1261.

SEC. 3. Section 1 of the Act of August 14, 1946 (Public Law 730, Seventy-ninth Congress, second session), entitled "An Act to fix the rate of postage on domestic air mail, and for other purposes", is hereby amended to read as follows:

Domestic air mail postage rates.

"The rate of postage on domestic air mail weighing eight ounces or less shall be 5 cents for each ounce or fraction thereof: *Provided*, That the rate of postage on air mail of the first class weighing in excess of eight ounces shall be the rate provided for air parcels but in no case shall be less than 3 cents an ounce or fraction thereof."

Effective date.

SEC. 4. This Act shall take effect on the first day of the third month following the month of enactment.

Approved June 29, 1948.

[CHAPTER 718]

AN ACT

June 29, 1948
[S. 2376]
[Public Law 820]

To provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold.

Agricultural commodities.
Revolving fund for purchases by Department of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of any other law, the Secretary of the Army is authorized to issue notes from time to time for purchase by the Secretary of the Treasury, not to exceed in the aggregate outstanding at any time $150,000,000. Each such note shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the note. Payment of the purchase price of such notes and repayments thereof by the Secretary of the Army shall be treated as public-debt transactions of the United States. The proceeds of these notes shall be used by the Secretary of the Army, or his duly authorized representatives, as a revolving fund for the purpose of (a) purchasing natural fibers (including cotton waste) produced in the United States, and such other materials, including starch, dyestuff, roller leather, and card clothing as may be used in processing and finishing such fibers; (b) transporting such fibers and other materials to occupied areas, making them available for processing, and having such fibers processed in such areas; (c) insuring such fibers and materials and the products obtained from such processing; and (d) selling products obtained from such processing. In the case of wool, mohair, or flax fiber, only those types and grades shall be purchased hereunder as the Secretary of Agriculture, in the light of supplies on hand in the United States, designates as available for export; and stocks held by Commodity Credit Corporation of the types and grades so designated shall be purchased before other purchases are made of such types and grades. For the purpose of this Act an occupied area shall be considered as any liberated or occupied area, which is at the time, occupied by United States forces or such an area occupied jointly with another power or powers when it is considered by the Secretary of the Army to be necessary or desirable to include such an area, in order to carry out United States objectives: *Provided*, That a treaty of peace shall not have been ratified and confirmed for such an area.

"Occupied area."

Limitation.

Conditions for purchase.

SEC. 2. Neither the Secretary, nor any duly authorized representative, shall use the fund created by this Act for the purchase of any commodity unless, on the date of purchase of such commodity, it appears in his best judgment that within fifteen months after such date—

(a) such commodity will be processed, or used in processing operations, in an occupied area; and

(b) so much of the products obtained from such processing will be sold under such terms and for such currencies as will be necessary to cover, in United States dollars, (1) all amounts expended from the fund in connection with such commodity plus (2) an appropriate portion of the interest payable to the Secretary of the Treasury on account of loans made pursuant to this Act.

Proceeds from sale.

SEC. 3. The proceeds from the sale of products of commodities purchased with moneys from the fund, to the extent of the amounts specified in section 2, shall be returned to the fund.

Report to Congress.

SEC. 4. Annually after the date of enactment of this Act the Secretary of the Army shall make a complete report to the Congress with respect to the status of the fund. At such time as there shall no longer be any occupied area within the meaning of this Act, or at such earlier time as the President or the Congress by concurrent resolution shall determine that the fund is no longer required for the purposes of this Act, the unobligated balance of the fund shall be repaid to the Secretary of the Treasury; and the Secretary of the Army, as expeditiously as possible consistent with orderly liquidation, (a) shall cause to be sold so much of the commodities purchased with moneys from the fund and products thereof which are then on hand as may be necessary to obtain the amount of any balance then remaining owing to the Secretary of the Treasury on account of loans made pursuant to this Act, and (b) shall repay such amount to the Secretary of the Treasury.

Unobligated balance.
Liquidation.

Sale of fibers and other materials.

SEC. 5. Fibers and other materials purchased for processing in any particular occupied area may, if a treaty of peace is ratified and confirmed with respect to such area prior to the processing of such commodities, be processed and sold, or sold, in such manner as the Secretary of the Army may deem to be in the best interest of the United States. If, after purchasing any such commodity with moneys from the fund, it shall appear to the Secretary of the Army that the product of such commodity cannot be sold for as much as the amounts specified in clauses (1) and (2) of section 2 of this Act the Secretary of the Army may sell such product for a lesser amount; but, insofar as may be possible, no commodities shall be sold for less than the amounts specified in clauses (1) and (2) of section 2 of this Act.

Sale for lesser amount.

Surplus commodities.

SEC. 6. So much of the commodities purchased with moneys from the fund for processing in any occupied area and so much of the products thereof as are not required to be sold, and so much of the proceeds obtained from the sale of any such commodities or products as is not required to be returned to the fund shall be used and disposed of by the Secretary of the Army, in such manner as he deems fit, for the benefit of the economy of such occupied area.

Rules and regulations.

SEC. 7. In providing for the performance of any of the functions described in section 1 the Secretary of the Army shall to the maximum extent feasible utilize private channels of trade and is hereby authorized to make all necessary rules and regulations for the efficient implementation of the provisions of this Act.

Approved June 29, 1948.

[CHAPTER 719]

AN ACT

June 29, 1948
[S. 2621]
[Public Law 821]

Authorizing the extension of the functions and duties of Federal Prison Industries, Incorporated, to military disciplinary barracks.

Federal Prison Industries, Inc.
Extension of functions, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to the extent and under such terms and conditions as may be agreed upon by the Secretary of Defense, the Attorney General, and the Board of Directors of Federal Prison Industries, Incorporated, the provisions of the Act of May 27, 1930 (ch. 340, 46 Stat. 391; 18 U. S. C. 744a–h); the Act of June 23, 1934 (ch. 736, 48 Stat. 1211; 18 U. S. C. 744i–n); and Executive Order 6917 dated December 11, 1934, shall apply to the industrial employment and training of prisoners convicted by general courts martial and confined in any institution under the jurisdiction of any department or agency comprising the National Military Establishment.

Ante, p. 866.

Ante, p. 866.

3 CFR, p. 296.

Transfer of property.

SEC. 2. Transfer by any department or agency comprising the National Military Establishment to Federal Prison Industries, Incorporated, without exchange of funds is authorized of any property or equipment suitable for use in carrying out the functions and performing the duties covered by any agreement entered into under section 1 hereof.

Additional board member.

SEC. 3. In addition to the members of the Board of Directors of Federal Prison Industries, Incorporated, authorized by section 2 of the Act of June 23, 1934 (ch. 736, 48 Stat. 1211; 18 U. S. C. 744j), the President shall appoint an additional member of the Board as a representative of the Secretary of Defense. Such additional member shall serve at the will of the President and without compensation.

Ante, p. 866.

Transfer of surplus property.

SEC. 4. For its own use in the industrial employment and training of prisoners and not for transfer or disposition, transfers of surplus property under the Surplus Property Act of 1944 may be made to Federal Prison Industries, Incorporated, without reimbursement or transfer of funds.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Ante, p. 350; *post*, p. 1103.

Approved June 29, 1948.

[CHAPTER 720]

AN ACT

June 29, 1948
[S. 2676]
[Public Law 822]

To authorize the Secretary of the Interior to convey a certain parcel of land in Saint Louis County, Minnesota, to the University of Minnesota.

University of Minnesota.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed, without consideration, to the Regents of the University of Minnesota, a body corporate, organized and existing by virtue of the constitution and laws of the State of Minnesota, all right, title, and interest of the United States in and to those parcels of real property located in the County of Saint Louis, Minnesota, which were formerly operated as a Federal fish-cultural station, and more particularly described as follows:

All that part of sections 5 and 8 in township 50 north, range 13 west, fourth principal meridian, which is bounded as follows: Beginning at a point in the westerly shore of Lester River, three hundred feet southeasterly from the center line of the Duluth, Missabe & Iron Range Railway track measured on a line at right angles to the line of said railroad track, thence southwesterly parallel with said railroad track six hundred and fifty-six feet, thence southeasterly at right angles with the line of said railroad track to the shore of Lake Superior, thence

northeasterly along the shore line of Lake Superior to the mouth of the Lester River, thence along the westerly shore of Lester River to the place of beginning, containing six acres of land, more or less, together therewith all of lots 9 and 10 in block 7 in Lester Park first subdivision, according to the recorded plat thereof, but subject, to the right-of-way for highway purposes as conveyed by deed dated February 7, 1945, recorded on March 13, 1945, at 3:30 o'clock postmeridian, in book 765, page 47, in the offices of the register of deeds in and for Saint Louis County, Minnesota: *Provided*, That the State of Minnesota shall pay 50 per centum of the appraised value of the property as determined by the United States Department of the Interior.

Payment by State.

Approved June 29, 1948.

[CHAPTER 721]

AN ACT

June 29, 1948
[S. 2698]
[Public Law 823]

To authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Army is hereby authorized, upon the request of the institution, to transfer without reimbursement, to the New Mexico Military Institute, Roswell, New Mexico, a tax-supported State institution, to Cornell University, Ithaca, New York, to Norwich University, Norwich, Vermont, and to Virginia Military Institute, Lexington, Virginia, all horses, except those used in the Remount breeding program, together with their records and equipment, property of the United States Army, located at and utilized by each of the said institutions for military training purposes: *Provided*, That the receiving institution in each case agrees to arrange for the proper pension and old-age care of the donated horses.

U. S. Army horses and equipment. Transfer to certain universities.

Condition.

Approved June 29, 1948.

[CHAPTER 722]

AN ACT

June 29, 1948
[S. 2830]
[Public Law 824]

To extend for two years the authority to provide for the maintenance of a domestic tin-smelting industry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the joint resolution entitled "Joint resolution to strengthen the common defense and to meet industrial needs for tin by providing for the maintenance of a domestic tin-smelting industry", approved June 28, 1947, is amended by striking out "June 30, 1949," and inserting in lieu thereof "June 30, 1951,".

61 Stat. 190.
50 U. S. C., Supp. I, § 98 note.

Approved June 29, 1948.

[CHAPTER 723]

AN ACT

June 29, 1948
[S. 2877]
[Public Law 825]

To amend the Reconstruction Finance Corporation Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out "$25,000,000" and inserting in lieu thereof "$40,000,000".

Ante, p. 264.

Approved June 29, 1948.

[CHAPTER 724]

JOINT RESOLUTION

June 29, 1948
[H. J. Res. 421]
[Public Law 826]

To authorize and direct the Commissioners of the District of Columbia to investigate and study certain matters relating to parking lots in the District of Columbia.

Parking lots, D. C. Study and investigation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Commissioners of the District of Columbia are authorized and directed to conduct a full and complete investigation and study in order to determine (1) charges imposed for parking on parking lots in the District of Columbia, (2) services supplied by the operators of such parking lots, and (3) how such charges and services compare with charges and services of operators of parking lots in other cities.

Report to Congressional committees.

(b) The Commissioners shall make a report to the Committee on the District of Columbia of the Senate and to the Committee on the District of Columbia of the House of Representatives not later than January 2, 1949, the results of such investigation and study, together with such recommendations as they may deem advisable.

Approved June 29, 1948.

[CHAPTER 725]

JOINT RESOLUTION

June 29, 1948
[H. J. Res. 427]
[Public Law 827]

Correcting Act establishing the Theodore Roosevelt National Memorial Park, as amended.

Theodore Roosevelt National Memorial Park.
61 Stat. 52.
16 U. S. C., Supp. I, § 241.
Ante, pp. 352, 384.

Whereas a clerical or printer's error by omission of words appears in section 1 of Public Law Numbered 620 amending the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park as amended by Public Law Numbered 620 be further amended by striking out the period at the end of section 1 and inserting the following: ", are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway."

Construction of road, etc.

Approved June 29, 1948.

[CHAPTER 726]

JOINT RESOLUTION

June 29, 1948
[H. J. Res. 428]
[Public Law 828]

Providing an extension of time for claiming credit or refund with respect to war losses

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if a claim for credit or refund under the internal-revenue laws relates to an overpayment on account of the deductibility by the taxpayer of a loss in respect of property considered destroyed or seized under section 127 (a) of the Internal Revenue Code, relating to war losses, for a taxable year beginning in 1941 or 1942, the three-year period of limitation prescribed in section 322 (b) (1) of the Internal Revenue Code shall in no event expire prior to December 31, 1949. In the case of such a claim filed on or before December 31, 1949, the amount of the credit

56 Stat. 852.
26 U. S. C. § 127 (a); Supp. I, § 127 note.
53 Stat. 91.
26 U. S. C. § 322 (b) (1).

or refund may exceed the portion of the tax paid within the period provided in section 322 (b) (2) or (3) of the Internal Revenue Code, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of the loss described in this section.

53 Stat. 92; 56 Stat. 876.
26 U. S. C. § 322 (b) (2), (3).

Approved June 29, 1948.

[CHAPTER 727]

AN ACT

To amend section 13 (a) of the Surplus Property Act of 1944, as amended.

June 29, 1948
[H. R. 2239]
[Public Law 829]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 (a) of the Surplus Property Act of 1944, as amended, is hereby amended by inserting a new paragraph as follows:

Surplus Property Act of 1944, amendment.
58 Stat. 770.
50 U. S. C. app. § 1622 (a); Supp. I, § 1622.
Ante, p. 350.
Disposals to States, etc.

"(3) Surplus property certified by the Governor of the State in which the property is situated and by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, as being suitable and needed for use in training and maintaining any civilian component of the armed forces under his jurisdiction may be disposed of to States, their political subdivisions or tax-supported instrumentalities, subject to such terms and conditions as the Administrator determines to be necessary to properly protect the interests of the United States. Such disposals shall be without monetary consideration: *Provided*, That the Government shall be reimbursed for such costs incident to the disposal of the property as the Administrator may deem proper, including the expense of removal of any machinery, equipment, or personal property not transferred as a part of such disposal."

Approved June 29, 1948.

[CHAPTER 728]

AN ACT

To amend section 624 of the Public Health Service Act so as to provide a minimum allotment of $100,000 to each State for the construction of hospitals.

June 29, 1948
[H. R. 4816]
[Public Law 830]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 624 of the Public Health Service Act, as amended, is amended to read as follows: "Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment of a sum bearing the same ratio to the sums authorized to be appropriated pursuant to section 621 for such year as the product of (a) the population of such State and (b) the square of its allotment percentage (as defined in section 631 (a)) bears to the sum of the corresponding products for all of the States: *Provided*, That no such allotment to any State shall be less than $100,000 but for the purpose of this proviso the term State shall not include the Virgin Islands."

Public Health Service Act, amendment.
60 Stat. 1045.
42 U. S. C. § 291g.

60 Stat. 1042.
42 U. S. C. § 291d.

60 Stat. 1046.
42 U. S. C. § 291i (a).
Ante, p. 531.
Minimum allotment.

SEC. 2. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1948, and for each of the three succeeding fiscal years, such sums as may be necessary to provide increased allotments for the construction of hospitals pursuant to the first sentence of section 624 of the Public Health Service Act, as amended by the first section of this Act.

Appropriation authorized.

Supra.

Approved June 29, 1948.

[CHAPTER 729]

AN ACT

June 29, 1948
[H. R. 5734]
[Public Law 831]

To authorize the Administrator of Veterans' Affairs to convey to the city of Cheyenne, Wyoming, for public-park and golf-course purposes, certain land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyoming.

Cheyenne, Wyo.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to convey by quitclaim deed to the city of Cheyenne, Wyoming, a parcel of land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyoming, which is described as follows:

The north half of the northwest quarter, the southeast quarter of the northwest quarter, the northeast quarter, and the southeast quarter less a strip of land one hundred and fifty feet wide along the entire west side of the said quarter section, all in section 28, township 14 north, range 66 west, of the sixth principal meridian, in Laramie County, Wyoming.

The deed shall reserve to the United States the interests in fissionable material as provided in Executive Order 9908, dated December 5, 1947, and shall provide for reversion of title to the United States should the city of Cheyenne fail to maintain a public park and golf course on the land: *Provided*, That a lease of any portion or portions of such land to a Federal agency shall not be deemed a failure to maintain a public park and golf course.

3 CFR, 1947 Supp., p. 176.

Lease to Federal agency.

Approved June 29, 1948.

[CHAPTER 730]

AN ACT

June 29, 1948
[H. R. 5750]
[Public Law 832]

To provide for the extension and improvement of post-office facilities at Los Angeles, California, and for other purposes.

Los Angeles, Calif.
Post-office facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Federal Works Administrator is authorized and directed to enter into contracts, under plans and specifications to be approved by him and by the Postmaster General, for the construction of an additional story and the extension and remodeling of the existing Terminal Annex Station. The cost of such additional story and extension and remodeling with plans and specifications to the Terminal Annex Station shall not exceed $1,000,000.

Handling mail by air transport.

(b) In carrying out the provisions of this Act, the Administrator, with the approval of the Postmaster General, is further authorized to make due provision for the methods of handling mail matter in metropolitan areas by air transport.

Appropriation authorized.
Ante, p. 1033.

SEC. 2. There is authorized to be appropriated the sum of $1,000,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved June 29, 1948.

[CHAPTER 731]

AN ACT

June 29, 1948
[H. R. 5861]
[Public Law 833]

To direct the Secretary of Agriculture to convey certain land to the State of Oklahoma.

Oklahoma.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby directed to convey to the State of Oklahoma,

without consideration and on behalf of the United States, the southeast quarter and the east half of the southwest quarter of section 9 and the northeast quarter and the east half of the northwest quarter of section 16, township 3 north, range 23 east, of the Indian meridian, Le Flore County, Oklahoma, for the purpose of constructing a dam.

Approved June 29, 1948.

[CHAPTER 732]

AN ACT

June 29, 1948
[H. R. 5888]
[Public Law 834]

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, and for continuing the construction and reconstruction of highways in accordance with the provisions of the Federal-Aid Highway Act of 1944 approved December 20, 1944 (58 Stat. 838), there is hereby authorized to be appropriated the sum of $450,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Federal-Aid Highway Act of 1948.

23 U. S. C. § 48; 16 U. S. C. § 503.

23 U. S. C. §§ 60-63.

Appropriation authorized.

The sum herein authorized for each fiscal year shall be available for expenditure as follows:

Availability of appropriation.

Forty-five per centum for projects on the Federal-aid highway system.

Thirty per centum for projects as set forth in paragraph (b) of section 3 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), except that for the purposes of this Act and all subsequent Acts continuing the postwar construction and reconstruction of highways in accordance with the provisions of the Federal-Aid Highway Act of 1944, (1) the term "secondary and feeder roads" and the term "principal secondary and feeder roads", wherever used in the Federal-Aid Highway Act of 1944, shall include county and township roads; and (2) in selecting county and township roads on which funds are to be expended, the State highway departments shall cooperate with township trustees and other appropriate local road officials; and

58 Stat. 838.
23 U. S. C. §§ 60-63.
"Secondary and feeder roads"; "principal secondary and feeder roads."

Twenty-five per centum for projects on the Federal-aid highway system in urban areas.

The said sums, respectively, for any fiscal year, shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944 approved December 20, 1944: *Provided*, That the authorization for the fiscal year ending 1950 shall be apportioned among the States as soon as practicable after July 1, 1948, but not later than September 1, 1948.

Apportionment.

58 Stat. 840.

Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for two fiscal years after the close of the fiscal year for which such sums are authorized, and any sums apportioned to any State under section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944, shall be available for expenditure in that State for three fiscal years after the close of the fiscal year for which such sums are authorized and any amount so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds for any fiscal year, including any funds authorized to be appropriated under this Act, shall be deemed to have been expended if a sum equal to the total of the sums apportioned to the State for such fiscal year is

Period of availability of funds.

58 Stat. 840.

covered by formal agreements with the Commissioner of Public Roads for the improvement of specific projects as provided by this Act.

Cooperation in studies, etc.

SEC. 2. The Commissioner of Public Roads is hereby directed to cooperate with the State highway departments in a study of the status of improvement of the National System of Interstate Highways, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944; to invite the cooperation and suggestions of the Secretary of Defense and the National Security Resources Board as to their indicated or potential needs for improved highways for the national defense; and to supplement, not later than April 1, 1949, the report dated February 1, 1941, entitled "Highways for the National Defense" (Seventy-seventh Congress, first session), to reflect current conditions and deficiencies.

58 Stat. 842.
23 U. S. C. § 60.

Supplemental report.

Appropriation authorized.
23 U. S. C. § 23.

SEC. 3. (a) For the purpose of carrying out the provisions of section 23 of the Federal Highway Act (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of $20,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951, subject to the provision of section 9 of the Federal-Aid Highway Act of 1944 respecting the apportionment for forest highways in Alaska; and (2) for forest development roads and trails the sum of $17,500,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951: *Provided*, That immediately upon the passage of this Act the appropriation herein authorized for forest highways for the fiscal year ending June 30, 1950, shall be apportioned by the Federal Works Administrator for expenditure in the several States, Alaska, and Puerto Rico, according to the area and value of the land owned by the Government within the national forests therein which the Secretary of Agriculture is hereby directed to determine and certify to him from such information, sources, and departments as the Secretary of Agriculture may deem most accurate, and hereafter, on or before January 1 next preceding the commencement of each succeeding fiscal year the Federal Works Administrator shall make like apportionment of the appropriation authorized for such fiscal year: *Provided further*, That the Commissioner of Public Roads may incur obligations, approve projects, and enter into contracts under the apportionment of such authorizations, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That the appropriations made pursuant to authorizations heretofore, herein, and hereafter enacted for forest highways shall be considered available to the Commissioner of Public Roads for the purpose of discharging the obligations created hereunder in any State or Territory: *Provided further*, That the total expenditures on account of any State or Territory shall at no time exceed its authorized apportionment: *Provided further*, That appropriations for forest highways shall be administered in conformity with regulations jointly approved by the Federal Works Administrator and the Secretary of Agriculture: *Provided further*, That the Commissioner of Public Roads shall transfer to the Chief of the Forest Service from appropriations for forest highways such amounts as may be needed to cover necessary administrative expenses of the Forest Service in connection with the forest-highway program.

Forest highways, etc.

58 Stat. 842.

Apportionment.

Contracts.

Availability of appropriations.

Limitation.

Transfer of funds.

(b) The authorization in section 9 of the Federal-Aid Highway Act of 1944 for forest highways for the fiscal year ending June 30, 1948, is hereby canceled.

58 Stat. 842.

(c) Hereafter, construction work on forest-development roads and trails, pursuant to the provisions of section 23 of the Federal Highway

Advertisement for bids.

Act of November 9, 1921, as amended and supplemented, estimated to cost $10,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than $10,000 per mile, or if, after proper advertising, no acceptable bid is received, or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account.

42 Stat. 218.
23 U. S. C. § 23.

SEC. 4. (a) For the construction, reconstruction, improvement, and maintenance of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Park roads and trails.

16 U. S. C. §§ 8a-8c.

Appropriation authorized.

(b) For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951.

Access parkways.

Appropriation authorized.

(c) For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $6,000,000 for the fiscal year ending June 30, 1950, and a like sum for the fiscal year ending June 30, 1951: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Public Roads Administration before any expenditures are made thereon, and all such construction shall be under the general supervision of the Public Roads Administration.

Indian reservation roads and bridges.

25 U. S. C. § 318a.
Appropriation authorized.

SEC. 5. All provisions of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), not inconsistent with this Act, shall remain in full force and effect.

23 U. S. C. §§ 60-63.

SEC. 6. The first paragraph of section 21 of the Federal Highway Act, approved November 9, 1921 (23 U. S. C. 21), is hereby amended to read as follows:

42 Stat. 217.

"That so much, not to exceed 3¾ per centum, of all moneys appropriated or authorized to be appropriated for expenditure under the provisions of this Act, as the Federal Works Administrator may deem necessary for administering the provisions of this Act and for carrying on necessary highway research and investigational studies independently or in cooperation with the State highway departments and other research agencies, and for publishing the results thereof, shall be deducted therefrom for such purposes when the apportionment is made and the amount so deducted shall be available until expended from appropriations made under the provisions of this Act: *Provided*, That should the apportionment of the amounts authorized for the third postwar fiscal year be made in accordance with section 4 of the Federal-Aid Highway Act of 1944 before the approval of this Act, a revised apportionment may be made and the increased amount authorized by this section deducted for administration, research, and investigational studies."

Research studies, etc.

Revised apportionment.

58 Stat. 840.

SEC. 7. This Act may be cited as the "Federal-Aid Highway Act of 1948".

Short title.

Approved June 29, 1948.

[CHAPTER 733]

AN ACT

June 29, 1948
[H. R. 6028]
[Public Law 835]

To authorize appropriations for the Bureau of Reclamation for payments to school districts on certain projects during their construction status.

Bureau of Reclamation.
Payment to school districts authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, giving due consideration to the temporary nature of the requirements therefor, is authorized to make such provision as he deems to be necessary and in the public interest for the education of dependents of persons employed on the actual construction of projects or features of projects, by the Bureau of Reclamation, in any cases in which he finds that by reason of such construction activity, an undue burden is, or will be cast upon the facilities of the public-school districts serving the areas in which construction is being undertaken, and to pay for the same from any funds available for the construction of said projects: *Provided*, That the Secretary of the Interior shall enter into cooperative arrangements with local school districts wherein such features are situated to contribute toward covering the cost of furnishing the educational services required for such dependents, or for the operation by those school districts of Government facilities, or for the expansion of local school facilities. Such cost incurred hereunder shall be charged to the project concerned and shall be repayable in the same manner and to the same extent as are its other costs of construction.

Cooperative arrangements.

Report to Congress.

SEC. 2. The Secretary of the Interior shall furnish to the Congress each year, on or before the 3d day of January, a report on all activities undertaken during the preceding fiscal year pursuant to the provisions of this Act, together with such recommendations with respect to problems relating to it as he shall think appropriate.

Approved June 29, 1948, 5:05 p. m., E. D. T.

[CHAPTER 734]

AN ACT

June 29, 1948
[H. R. 6089]
[Public Law 836]

To amend the Act of July 6, 1945 (Public Law 134)

Salary of certain postmasters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 6, 1945 (Public Law 134), is amended by adding the following to section 8 (b): "*Provided*, That incumbent postmasters in offices having receipts of $600,000 but less than $1,500,000 shall not have their salary reduced unless the receipts of their respective offices drop below $600,000 for any one calendar year."

59 Stat. 438.
39 U. S. C. § 858 (b).
Post, p. 1260.

Approved June 29, 1948.

[CHAPTER 735]

AN ACT

June 29, 1948
[H. R. 6452]
[Public Law 837]

To amend section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended.

District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 20 (a) of section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended, be amended by adding thereto an additional paragraph to read as follows:

47 Stat. 553.
D. C. Code § 47-2320 (a).

Fire details at theaters.

"When in the opinion of the Chief Engineer of the Fire Department of the District of Columbia, it is necessary to post firemen at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Chief Engineer, based upon a reasonable estimate of the number of hours to be spent by firemen at, on, and about the licensed premises, such fee to be payable in advance on the first day of the month for which the permit is sought. The firemen so assigned shall be charged for by the hour at the wage rate of the firemen so assigned in effect on the first day of the month for which the permit is sought."

Monthly permit fee.

47 Stat. 553.
D. C. Code § 47-2320 (c).

SEC. 2. That paragraph 20 (c) of section 7 of said Act be amended by striking out the period at the end of the paragraph, inserting a colon, and adding the following words: "*Provided further*, That when, in the opinion of the Major and Superintendent of Police and the Chief Engineer of the Fire Department of the District of Columbia, or either of them, it is necessary to post policemen or firemen, or both, at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Major and Superintendent and Chief Engineer, or either of them, based upon a reasonable estimate of the number of hours to be spent by policemen and firemen at, on, and about the licensed premises, this fee to be payable in advance on the first day of the month for which the permit is sought. Policemen and firemen so assigned shall be charged for by the hour at the basic daily wage rate of policemen and firemen so assigned in effect the first day of the month for which the permit is sought."

Police and fire details at dances, etc.

Monthly permit fee.

47 Stat. 554.
D. C. Code § 47-2323 (a).

SEC. 3. That paragraph 23 (a) of section 7 of said Act be amended by adding thereto a new paragraph to read as follows:

"When, in the opinion of the Major and Superintendent of Police and Chief Engineer of the Fire Department of the District of Columbia, or either of them, it is necessary to post policemen or firemen, or both, at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Major and Superintendent and Chief Engineer, or either of them, based upon a reasonable estimate of the number of hours to be spent by policemen and firemen, or either of them, at, on, and about the licensed premises, such fee to be payable in advance on the first day of the month for which the permit is sought. Policemen and firemen so assigned shall be charged for by the hour at the basic hourly wage rate of the policemen and firemen so assigned in effect on the first day of the month for which the permit is sought."

Police and fire details at athletic contests.

Monthly permit fee.

Approved June 29, 1948.

[CHAPTER 736]

AN ACT

To amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewal of level premium term insurance for a second five-year period, and for other purposes.

June 29, 1948
[H. R. 6507]
[Public Law 838]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

National Service Life Insurance Act of 1940, amendment.
54 Stat. 1009.
38 U. S. C., Supp. I, § 802 (f).

"(f) Such insurance may be issued on the following plans: Five-year level premium term, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and

Plans for issuance.

Conversion of level premium term insurance.

endowment at age sixty-five. Level premium term insurance may be converted as of the date when any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance, except that conversion to an endowment plan may not be made while the insured is totally disabled. All level premium term policies, except as provided below, shall cease and terminate at the expiration of the term period: *Provided*, That at the expiration of the term period any national service life insurance policy which was issued on a five-year level premium term plan before January 1, 1948, and which has not been exchanged or converted to a permanent plan of insurance, may be renewed as level premium term insurance for an additional period of five years at the premium rate for the then attained age without medical examination, provided, the required premiums are tendered prior to the expiration of the first term period: *Provided further*, That in any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance, if subject to renewal under this provision, shall be automatically renewed for an additional period of five years at the premium rate for the then attained age, unless the insured has elected insurance on some other available plan. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance from time to time by regulations promulgated by the Administrator."

Termination.

Renewal as level premium term insurance.

Total disability.

Other provisions.

Approved June 29, 1948.

[CHAPTER 737]

AN ACT

June 29, 1948
[H. R. 6527]
[Public Law 839]

To provide assistance to certain local school agencies overburdened with war-incurred, or postwar national-defense-incurred, enrollments.

Contributions for operation, etc., of school facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Works Administrator is authorized to make, in the same manner as heretofore authorized, during the fiscal year ending June 30, 1949, contributions for the operation and maintenance of school facilities to local school agencies requiring assistance that (a) are still overburdened with school enrollments caused by war activities and the transition from war to peacetime conditions and have received during the fiscal year ending June 30, 1948, Federal contributions administered by the Federal Works Administrator for the operation and maintenance of their school facilities, or (b) have become overburdened with defense-incurred school enrollments as the result of the reactivation or expansion of any new defense establishment or the operation of any new defense establishment.

Appropriation authorized.
Ante, p. 1034.

SEC. 2. In order to carry out this Act, including administrative expenses therefor, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1949, not to exceed the sum of $6,000,000.

Approved June 29, 1948.

[CHAPTER 738]

AN ACT

To amend the Federal Airport Act.

June 29, 1948
[H. R. 6860]
[Public Law 840]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Federal Airport Act is hereby amended to read as follows:

Federal Airport Act, amendment.
60 Stat. 179.
49 U. S. C. § 1116.

"SEC. 17. (a) Reimbursement shall be made to public agencies, as provided in this section, for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency. The Administrator is authorized to render such assistance as he deems necessary to public agencies in the preparation of requests for reimbursement for the cost of rehabilitation or repair of public airports, under the control or management of such public agencies, which have been substantially damaged by any Federal agency and, upon receipt of such a request from a public agency, the Administrator is further authorized, on behalf of the United States, to consider, ascertain, and determine, in accordance with regulations he shall prescribe pursuant to this section, the actual or estimated cost of such necessary rehabilitation or repair for which such public agency is entitled to reimbursement from the United States.

Reimbursement for repair, etc., of public airports.

"(b) Such amount as may be found by the Administrator to be the actual or estimated cost of such rehabilitation or repair shall be certified by the Administrator to Congress, which certification shall include a brief statement of the character of the damage upon which the request for reimbursement is based and of the work performed or to be performed to accomplish such rehabilitation or repair. In the event that, upon completion of such rehabilitation or repair, it is determined that the actual cost thereof, as approved by the Administrator, exceeds the amount of the estimate certified to Congress by him, the Administrator shall certify to Congress the amount by which such actual cost exceeds such estimate including in such certification a brief statement of the cause of the variation between the estimated and the actual cost of such rehabilitation and repair. Certifications made hereunder by the Administrator shall be deemed contractual obligations of the United States, payable as hereinafter provided.

Certification of cost to Congress.

Actual cost exceeding estimate.

"(c) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Administrator to make payments as provided for in this section to public agencies, either upon completion of the rehabilitation or repair involved, or as such rehabilitation or repair progresses, it being the purpose of this subsection to authorize the Administrator to make payments to public agencies, out of funds appropriated pursuant to this section, as reimbursement for the cost of such public agencies of work performed in accomplishing rehabilitation or repair prior to final completion of such work and at such time or times as may be determined by the Administrator, after consultation with the public agency involved: *Provided*, That no such payment made by the Administrator shall be in an amount which, together with all previous payments made to reimburse such public agency for the cost of such rehabilitation or repair, shall exceed the estimated cost of the work then performed. If the Administrator shall determine at any time that the aggregate of such payments exceeds the actual cost of the work then performed the United States shall be entitled to recover such excess. In the event the estimate of the cost of rehabilitation or repair of an airport as certified to Congress

Appropriation authorized.

Limitation on payments.

by the Administrator exceeds the actual cost of such rehabilitation or repair, the amount of such excess shall be covered into the Treasury of the United States as miscellaneous receipts. Appropriations made pursuant to this subsection shall remain available until June 30, 1953, unless sooner expended.

Limitation on submission of claims.

"(d) No request for reimbursement of the cost of rehabilitation or repair to a public airport submitted pursuant to this section shall be considered by the Administrator unless such request has been submitted to him within six months after the occurrence of the damage upon which the request is based, except that in case of a request relating to damage caused by operations of a military nature during time of war, such request may be submitted within six months after the date of termination of such war unless the airport is under the control and management of the United States at the time of termination of such war, in which event the request may be submitted to the Administrator within six months after the transfer of such control or management of the airport to the public agency involved."

Approved June 29, 1948.

[CHAPTER 754]

June 29, 1948
[H. R. 6705]
[Public Law 841]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes.

Interior Department Appropriation Act, 1949.
Ante, p. 1040.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1949, namely:

OFFICE OF THE SECRETARY

Salaries, Office of the Secretary: For the Secretary of the Interior (hereafter in this Act referred to as the Secretary), and other personal services in the District of Columbia and elsewhere, including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $1,115,842: *Provided*, That no part of this appropriation shall be used for the broadcast of radio programs designed or calculated to influence the passage or defeat of any legislation pending before the Congress: *Provided further*, That not to exceed $50,000 of this appropriation may be used for the Division of Power under the Office of the Secretary: *Provided further*, That not to exceed $42,750 of this appropriation may be used for the Division of Information or for publicity and public relations activities.

60 Stat. 810.

Radio broadcasts respecting legislation.

Division of Power.

Division of Information.

Salaries, Office of Solicitor: For personal services in the District of Columbia and in the field, $250,000.

Salaries and expenses, Division of Territories and Island Possessions: For expenses necessary for the Division of Territories and Island Possessions, including personal services in the District of Columbia; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); printing and binding; and items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; $160,000.

60 Stat. 810.

Salaries and expenses, Oil and Gas Division: For expenses necessary for coordinating and unifying policies and administration of Federal activities relative to oil, gas, and synthetic fuels, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and petroleum products, natural gas, and synthetic fuels and the compilation of technical

reports thereon, for administering and enforcing the provisions of the Act of February 22, 1935, as amended (15 U. S. C., ch. 15A); including personal services in the District of Columbia; not to exceed $10,000 for employment of a director without regard to the civil-service and classification laws; contract stenographic reporting services; purchase of not to exceed four passenger motor vehicles for replacement only; and printing and binding, $325,000.

49 Stat. 30.
15 U. S. C. §§ 715-715m; Supp. I, ch. 15A note.

Salaries and expenses, Board on Geographic Names: For necessary expenses to carry out the provisions of the Act of July 25, 1947 (Public Law 242), establishing a central authority for standardizing geographic names, including personal services in the District of Columbia, stationery and office supplies, equipment, and printing and binding, $13,266.

61 Stat. 456.
43 U. S. C., Supp. I, §§ 364-364f.

Salaries and expenses, soil and moisture conservation: For necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the Act of April 27, 1935 (16 U. S. C. 590a–590f), and Reorganization Plan Numbered IV, including $108,000 for personal services in the District of Columbia; printing and binding; furniture, furnishings, office equipment and supplies; purchase of not to exceed seven passenger motor vehicles for replacement only; and maintenance, and operation of aircraft; $2,800,000: *Provided*, That this appropriation shall be available for meeting expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior.

49 Stat. 163.
54 Stat. 1235.
5 U. S. C. § 133t note.

Warehouse maintenance, etc.

Contingent expenses, Department of the Interior: For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding $300; traveling expenses, including not exceeding $10,000 for inspections and investigations by the legislative branch as well as attendance at meetings or conventions concerned with the work of the Department, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; purchase of one passenger motor vehicle; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; and printing and binding, $215,000; and, in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: Bureau of Land Management, $9,000; Geological Survey, $19,500; National Park Service, $7,500; Bureau of Reclamation, $8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, $9,000.

Investigations by legislative branch.

Transfer of funds for stationery supplies.

Expenses, power transmission facilities: For expenses of the southwestern power transmission system, including marketing of electric power and energy; engineering and supervision of the construction under contracts executed prior to June 30, 1948; administrative expenses; personal services in the District of Columbia; hire of passenger motor vehicles; and printing and binding; $260,000: *Provided*, That $40,000 of this appropriation shall be available only for the payment to employees for accumulated or accrued annual leave due upon their separation from Government service or furlough from active duty.

Payment for accumulated or accrued annual leave.

COMMISSION OF FINE ARTS

36 Stat. 371.

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U. S. C. 104), including personal services in the District of Columbia, hire of passenger motor vehicles, printing and binding and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, $12,000.

BONNEVILLE POWER ADMINISTRATION

Construction, operation, and maintenance, Bonneville power transmission system: To enable the Bonneville Power Administrator to carry out the duties imposed upon him pursuant to law, including the construction of transmission lines, substations, and appurtenant facilities; operation and maintenance of the Bonneville transmission system; marketing of electric power and energy; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase of not to exceed eight in the fiscal year 1949, for replacement only, and hire of passenger motor vehicles; and maintenance and operation of aircraft; $21,125,700, to be available until expended, of which amount not to exceed $3,231,800 shall be available in the fiscal year 1949 for operation and maintenance of the Bonneville transmission system, marketing of electric power and energy, and administrative expenses connected therewith, including $25,130 for personal services in the District of Columbia: *Provided*, That in addition to this appropriation the Administrator is authorized to contract in the fiscal year 1949 for materials, equipment and services, for power transmission facilities in an amount not in excess of $11,888,500: *Provided further*, That not exceeding 8 per centum of any construction appropriations for the Bonneville Power Administration contained in this Act shall be available for construction work by force account, or on a hired labor basis: *Provided further*, That not exceeding $12,500 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work: *Provided further*, That interest heretofore collected by Bonneville Power Administration from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund forthwith: *Provided further*, That, awaiting legislation, said interest shall not be allocated during the fiscal year 1949.

60 Stat. 810.

Transmission system.

Contract authority.

Availability of construction appropriations.

Informational work.

Interest from sales of electric energy.

BUREAU OF LAND MANAGEMENT

Salaries and expenses: For necessary expenses not otherwise provided for in carrying out the provisions of the public land and other laws administered by the Bureau of Land Management, including personal services in the District of Columbia; one clerk authorized by the President to sign land patents; printing and binding, advertising, preparation and production of maps and official plats of survey, and for hearings and other proceedings; $1,000,000.

Management, protection, and disposal of public lands: For the administration of the public lands and their resources under the jurisdiction of the Bureau of Land Management, including their protection, use, maintenance, improvement, development, and disposal; the employment of necessary personnel, travel expenses, hearings, investigations, examination and classification of lands; preparation of maps and reports; surveys and resurveys of public lands, including

fragmentary surveys and such other surveys and examinations as may be required; the prevention, presuppression or emergency prevention of fires on or threatening lands under the jurisdiction of the Bureau of Land Management; contract reporting services, purchase of not to exceed fifteen passenger motor vehicles for replacement only and one airplane; the payment of a salary of $6 per diem while actually employed and for payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, $35,500; and the construction, maintenance, and alteration of necessary buildings; $3,000,000: *Provided*, That this appropriation shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Land Management, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to the appropriation for "Management, protection, and disposal of public lands, Bureau of Land Management," current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That this appropriation may be expended for surveys of lands other than those under the jurisdiction of the Bureau of Land Management and in such cases this appropriation shall be reimbursed from the applicable appropriation, fund, or special deposit: *Provided*, That none of the appropriations made in this Act shall be used to pay the salaries of personnel assigned to regional offices of the Bureau of Land Management in excess of the average total number of all personnel assigned to such regional offices during the fiscal year 1948.

Warehouse maintenance, etc.

Surveys of lands.

Regional offices.

Fire fighting: For fighting fires on or threatening lands under the jurisdiction of the Bureau of Land Management in the United States and Alaska, $50,000, which amount shall also be available for meeting obligations of the preceding year, pursuant to the Acts of September 20, 1922 (16 U. S. C. 594) and June 28, 1934, as amended.

42 Stat. 857; 48 Stat. 1269.

Range improvements: For construction, purchase, and maintenance of range improvements on the public lands pursuant to the provisions of sections 3 and 10 of the Act of June 28, 1934 (43 U. S. C. 315b and 315i), as amended by the Act of August 6, 1947 (Public Law 376), in addition to contributions under section 9 of the Act of June 28, 1934 (43 U. S. C. 315h), $350,000, to remain available until expended: *Provided*, That expenditures hereunder shall not exceed the amount of all moneys received as range-improvement fees under the provisions of section 3 of said Act and 25 per centum of all moneys received under the provisions of section 15 of said Act.

43 U. S. C. §§ 315-315o; Supp. I, §§ 315b, 315i, 315j.
Ante, p. 533.

48 Stat. 1270, 1273; 61 Stat. 790.
43 U. S. C., Supp. I, §§ 315b, 315i, 315j.
48 Stat. 1273.
Ante, p. 533.

48 Stat. 1270, 1275.
43 U. S. C. § 315m; Supp. I, § 315b.

Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For expenses necessary in carrying out the provisions of title I of the Act of August 28, 1937 (50 Stat. 874), including fire protection and patrol, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including purchase of not to exceed two passenger motor vehicles for replacement only, $500,000: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II, of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund" and section 4 of the Act approved May 24, 1939, of the special fund designated the "Coos Bay Wagon Road Grant Fund."

Reimbursements.

50 Stat. 876.

53 Stat. 754.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, $7,500: *Provided*, That expenditures hereunder shall not exceed the

48 Stat. 1227.
31 U. S. C. § 725c.

aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the joint resolution of June 12, 1926 (44 Stat. 740), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), $4,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

41 Stat. 450.
30 U. S. C., Supp. I, § 191.

48 Stat. 1227.
31 U. S. C. § 725c.

Leasing of grazing lands: For leasing State, county, or privately owned lands in accordance with the provisions of the Act of June 23, 1938 (43 U. S. C. 315m–1), $6,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with 43 U. S. C. 315m–4.

52 Stat. 1033.

52 Stat. 1033.

Payment to States: Not to exceed 33⅓ per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-lands laws, to be paid to the State in which said lands are situated, in accordance with the provisions of section 11 of the act of June 28, 1934, as amended (43 U. S. C. 315j).

48 Stat. 1273.
43 U. S. C., Supp. I, § 315j.

Aircraft.

Appropriations herein made for the Bureau of Land Management for "Management, protection, and disposal of public lands, Bureau of Land Management", "Revested Oregon and California Railroad and reconveyed Coos Bay wagon road grant lands, Oregon", and "Fire fighting", shall be available for the hire, maintenance, and operation of aircraft.

BUREAU OF INDIAN AFFAIRS

Salaries and expenses, general administration: For expenses necessary for the general administration of the Bureau of Indian Affairs, including departmental personal services in the District of Columbia; rental of office equipment and the purchase of necessary supplies therefor; purchase of office furniture and equipment in addition to that which may be purchased from the appropriation for contingent expenses of the Department; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $740,000.

Salaries and expenses, district offices: For expenses of district offices at Billings, Montana, and Portland, Oregon, only, including printing and binding, $200,000: *Provided*, That any unobligated balances of 1948 appropriations for the Bureau of Indian Affairs shall be available for payment to employees for accumulated or accrued annual leave due upon their separation from service or furlough from active duty by reason of reduction in force under the appropriation "Salaries and Expenses, District Offices".

Payment for accumulated or accrued annual leave.

Salaries and expenses, reservation administration: For necessary expenses of reservation administration, including pay of employees authorized by continuing or permanent treaty provisions, $2,400,000.

For maintaining law and order among Indians, including pay and other expenses of judges of Indian courts, Indian police, and employees engaged in the suppression of traffic in intoxicating liquors and deleterious drugs among Indians, $125,000.

Alaska native service: For expenses necessary to provide for the support, rehabilitation, education, conservation of health, development of resources, and relief of destitution of the natives of Alaska;

the repair, rental, and equipment of school, hospital, and other buildings; the purchase or erection of range cabins and other temporary structures, including hospital structures and quarters on privately owned land; the hire, repair, equipment, maintenance, and operation of vessels; and for the administration of the Alaska native service, $4,118,962: *Provided*, That any agency of the United States Government having title thereto is authorized to transfer without charge to the Alaska native service, buildings, vessels, equipment, materials, and supplies surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of the Alaska native service: *Provided further*, That the foregoing provision shall not be construed to deny veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended.

Transfer of surplus supplies.

Priority to veterans.

58 Stat. 765. 50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*

Navajo and Hopi service: For administering and carrying out a support and rehabilitation program for the Navajo and Hopi Indians, including printing and binding; transportation of Indians; grants to Indians; and for purposes otherwise applicable to other appropriations and provisions for the Bureau of Indian Affairs as follows:

Ante, pp. 350, 1103.

Construction and maintenance services: For the construction and maintenance of roads and trails, irrigation systems, buildings, utilities, and other construction, including drainage and preparation of raw lands for irrigation farming, surveys, and investigations, private architectural and engineering services, and water exploration, $907,900, to remain available until expended, of which $373,900 shall be reimbursable in accordance with law.

Agency services: For administrative, industrial, resource, agricultural, educational, health, community welfare, and employment services, including cooperation with State and other organizations engaged in similar work, and payment of travel expenses and per diem of persons whose services are donated by such organizations, $4,334,115.

In all, Navajo and Hopi service, $5,242,015.

Purchase and transportation of Indian supplies: For advertising, inspection, storage, printing and binding, and all other expenses incident to the purchase of goods and supplies for the Bureau of Indian Affairs and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Maintenance of buildings and utilities: For expenses necessary to maintain buildings in the Bureau of Indian Affairs, including the lease, purchase, construction (not to exceed $1,500 for any one building), repair and improvement of buildings; the installation, repair, and improvement of utility systems, $755,000.

Education of Indians: For the support and education of Indian pupils in boarding and day schools and for other educational purposes, including educational facilities authorized by treaty provisions; tuition, care, and other expenses of Indian pupils attending public and private schools; support and education of deaf, dumb, blind, mentally deficient, or physically handicapped; the tuition (which may be paid in advance) and other assistance of Indian pupils attending vocational or higher educational institutions under such regulations as the Secretary may prescribe; printing and binding (including illustrations); the support and equipment of an arts and crafts building at Anadarko, Oklahoma, and Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona; $10,100,000: *Provided*, That payment of tuition and care of Indian pupils may be made from date of admission.

Payment of tuition, etc.

Conservation of health: For expenses necessary for the conservation of health among Indians, transportation of patients and attendants to and from hospitals and sanitoria; returning to their former homes and interring the remains of deceased patients; clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of travel expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and printing and binding, $6,714,500.

Welfare of Indians: For welfare services, including general support, relief of needy Indians, boarding home care of Indian children, institutional care of delinquent children, and payment of per diem, in lieu of subsistence, and other expenses of Indians participating in folk festivals, $472,710: *Provided*, That payment for the care of Indians may be made from the date of service.

Management, Indian forest and range resources: For the management and protection of forest, range, and wildlife resources on Indian reservations, and allotments other than the Menominee Indian Reservation, Wisconsin, including the payment of reasonable rewards for information leading to the arrest and conviction of any person or persons setting forest or range fires, or taking or destroying timber, in violation of law on Indian lands; the establishment of cooperative sustained yield forest units pursuant to the Act of March 29, 1944 (16 U. S. C. 583); and the development, repair, maintenance, and operation of domestic and stock water facilities, $900,000: *Provided*, That the United States shall be reimbursed for expenditures made from this appropriation for expenses incident to the sale of timber to the extent prescribed in regulations promulgated by the Secretary pursuant to the Act of March 1, 1933 (25 U. S. C. 413).

58 Stat. 132.

47 Stat. 1417.

Suppressing forest and range fires: For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $12,000, which amount shall be available also for meeting obligations of the preceding fiscal year: *Provided*, That appropriations herein made for the Indian Service shall be available upon the approval of the Secretary for fire-suppression or emergency-prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Agriculture and stock raising: For the development of agriculture and stock raising among the Indians, including agricultural experiments and demonstrations and maintenance of a supply of suitable plants or seed for issue to Indians; the expenses of Indian fairs, including premiums for exhibits; and the control and eradication of fever ticks and contagious diseases among livestock of Indians, $761,907.

Revolving fund for loans: The authorization for loans to individual Indians and Indian organizations otherwise ineligible to participate in loans from the fund established in accordance with the Act of June 18, 1934 (25 U. S. C. 470 and 471), and the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), is hereby increased from $962,500 to $1,250,000.

Ante, p. 211.

48 Stat. 986.

49 Stat. 1968, 1250.

25 U. S. C. § 303; Supp. I, § 303 note.

Acquisition of lands for Indian tribes: For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (25 U. S. C. 465), $150,000: *Provided*, That no part of the sum herein appropriated shall be used for the acquisition of land within the States of Arizona, California, Colorado, New Mexico, South Dakota, Utah, and Wyoming outside of the boundaries of existing Indian reservations: *Provided further*, That no part of this appropriation shall be used for the acquisition

48 Stat. 985.

Restrictions.

of land or water rights within the States of Montana, Nevada, Oregon, and Washington either inside or outside the boundaries of existing reservations.

Development of Indian arts and crafts: For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (25 U. S. C., ch. 7A), including expenses of exhibits, not to exceed $2,500 for printing and binding, and other necessary expenses, $35,000, of which not to exceed $15,500 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $8,180 per annum.

49 Stat. 891.
25 U. S. C. §§ 305-305e.
Ante, p. 867.

Salary limitation.

Irrigation: For the maintenance, operation, repair, and improvement of irrigation systems for Indian reservations and allotments; payment of operation and maintenance assessments on Indian lands and within non-Indian irrigation districts; payment of reclamation charges; purchase of water and water rights; including the purchase or rental of equipment, tools, and appliances; drainage and protection of irrigable lands from damage by floods or loss of water rights; and for all other necessary expenses, $421,700, of which $324,735 shall be reimbursable in accordance with existing law.

Construction, and so forth, irrigation systems: For the construction, rehabilitation, and improvement of irrigation systems on Indian reservations; the purchase or rental of equipment, tools, and appliances; the acquisition of rights-of-way; the development of domestic and stock water and water for subsistence gardens; the purchase of water rights, ditches, and lands needed for irrigation purposes; drainage and protection of irrigable lands from damage by floods or loss of water rights; preparation of raw reservation lands for irrigation farming, expenditures for which shall be repayable on a per acre basis by the lands benefited; as follows:

Arizona: Colorado River, $2,600,000; Salt River, $40,000;

Payment to the San Carlos irrigation and drainage district, in accordance with the provisions of the Act of March 7, 1947 (Public Law 10), $190,000;

61 Stat. 8.

Colorado: Southern Ute, $10,000;

Montana: Flathead, $200,000; Fort Belknap, $6,250; Fort Peck, $25,000; Tongue River, $9,750;

New Mexico: United Pueblos, $17,500;

Washington: Wapato (Satus Unit No. 3), $100,000;

Wyoming: Wind River, $15,000;

Miscellaneous small projects, $60,000;

For surveys, investigations, and administrative expenses, including not exceeding $12,500 for personal services in the District of Columbia, $137,500;

In all, $3,411,000, reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Commissioner of Indian Affairs, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

Interchange of appropriations.

Construction, and so forth, buildings and utilities: For the construction, repair, or rehabilitation of Indian Service buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way; purchase of furniture, furnishings, and equipment; private architectural and engineering services; and water explorations; as follows:

Alaska: Schools, hospitals, and quarters, $622,500, and in addition the Secretary may enter into contracts for this purpose in an amount not to exceed $5,925,000;

Celilo Falls, Oregon: For the construction, repair, or rehabilitation of buildings and utilities at Celilo Falls, Oregon, for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Columbia River Indians affiliated with the afore-mentioned tribes, $125,000;

Cherokee, North Carolina: Sewage works improvements, $79,000, and water supply, $35,000, reimbursable from Cherokee Tribal funds;

Consolidated Chippewa, Minnesota: For cooperation with public school districts, Mahnomen, Itasca, Pine, Becker, and Cass Counties (organized and unorganized) in the construction, improvement, and extension of school facilities in accordance with the Act of July 24, 1947, Public Law 231, $213,000; for cooperation with the public school board at Walker, Minnesota, for the extension of public school facilities in accordance with the Act of July 24, 1947, Public Law 223, $35,000;

61 Stat. 418.

61 Stat. 414.

Flathead, Montana: For cooperation with the State of Montana in the construction, extension, and improvement of a State tuberculosis sanitorium and quarters at Galen, Deer Lodge County, Montana, in accordance with the Act of August 4, 1947, Public Law 332, $750,000;

61 Stat. 729.

Great Lakes, Wisconsin: For cooperation with the school board of Hunter School District, Sawyer County, Wisconsin, in accordance with the Act of August 8, 1946, Public Law 667, $80,000;

60 Stat. 923.

Haskell Institute, Kansas: Dormitory, $85,000;

Hopi, Arizona: School, $50,000;

San Carlos, Arizona: School and quarters, $75,000;

Sells, Arizona: School and quarters, $65,000;

Uintah and Ouray, Utah: For cooperation with the public school district of Roosevelt, Utah, in the construction, extension, and improvement of public school facilities, $250,000;

Ante, p. 170.

Western Shoshone, Nevada: To provide for the construction, extension, and improvement of public school buildings in Owyhee, Nevada, in accordance with the Act of July 11, 1947, Public Law 182, $200,000;

61 Stat. 315.

Various locations: Major repairs and improvements, $300,000;

For surveys and plans and administrative expenses, private architect and engineering service and water explorations, including personal services in the District of Columbia and printing and binding, $190,000;

In all, $3,154,500, to remain available until completion of the projects: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer.

Transfer of funds.

Ante, p. 1107.

Roads: For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a) and the Act of December 20, 1944 (Public Law 521), $2,500,000, to remain available until expended, of which amount not to exceed $9,250 may be expended for departmental personal services.

45 Stat. 750.
58 Stat. 838.
23 U. S. C. §§ 60–63.

Senecas, N. Y.

Fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), $6,000.

Six Nations, N. Y.

Fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

7 Stat. 46.

Choctaws, Okla.

Fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty

7 Stat. 99.

of June 22, 1855), $3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520. 11 Stat. 614. 7 Stat. 213. 7 Stat. 212, 236. 7 Stat. 235.

Fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000. Pawnees, Okla. 11 Stat. 729; 27 Stat. 644.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, $150,000.

Payment of interest on Indian trust funds: For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $1,195,000.

Proceeds from power: Not to exceed the amount of power revenues covered into the Treasury to the credit of each of the power projects, including revenues credited prior to August 7, 1946, shall be available for the purposes authorized by section 3 of the Act of August 7, 1946 (Public Law 647), including printing and binding, in connection with the respective projects from which such revenues are derived. 60 Stat. 895. 31 U. S. C. § 725s-3.

MISCELLANEOUS INDIAN TRIBAL FUNDS

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes, including pay and travel expenses, $365,000, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed $50,000 for any one tribe. Travel expenses.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, $213,405, of which not to exceed the sums herein indicated shall be available for expenses incident to the following activities: Fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under contract approved by the Secretary, $4,500; education, $40,000; health, $51,375; law and order, $15,000; extension and land, $52,530; and administrative and other expenses, $50,000. Klamath Agency, Oreg.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, $188,875, including $36,500 for relief of Indians in need of assistance, including cash grants; scholarships (not to exceed $1,550); and $5,500 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed $10,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs: *Provided further*, That a recreational director for the Menominee Reservation may be employed with the approval of the Menominee Tribal Council. Menominee Agency, Wis. Salaries, etc., of tribal officers. Recreational director.

Osage Agency, Okla.

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency, a curator for the Osage Museum, at a salary of $1,954, which employee shall be an Osage Indian, appointed with the approval of the Osage Tribal Council, and of necessary employees, and pay of tribal officers; not to exceed $2,000 for the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, and printing and binding, $197,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated $16,350 is hereby made available for travel and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed $10 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Travel, etc., expenses.

Five Civilized Tribes, Okla.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw, and Chickasaw Nations, at salaries of $3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at $1,200 and one attorney each for the Choctaw, Chickasaw and Creek Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Limitation.

Creek Nation, Okla.

Expenses of attorneys, Creek Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys for the Creek Nation of Indians, Oklahoma, employed to prosecute Creek tribal claims under contract approved by the Interior Department on November 12, 1947, $2,500, payable out of funds on deposit in the Treasury to the credit of said Creek tribe of Indians.

Chickasaw Nation, Okla.

Expenses of attorneys, Chickasaw Nation of Indians, Oklahoma (tribal funds): For expenses of attorneys for the Chickasaw Nation of Indians, Oklahoma, employed to prosecute Chickasaw tribal claims under contracts approved by the Interior Department, $2,000, payable out of funds on deposit in the Treasury to the credit of said Chickasaw tribe of Indians.

Expenses of tribal councils or committees thereof (tribal funds): For travel and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction.

Relief of needy Indians (tribal funds): For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $112,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, as amended, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.

18 U. S. C. §§ 744a-744h.

Compensation and expenses of attorneys (tribal funds): For compensation and expenses of attorneys employed by various tribes of Indians under contracts to be approved by the Secretary of the Interior, $82,880, payable from funds on deposit in the United States Treasury to the credit of the particular Indian tribe concerned.

Ante, p. 866.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, $121,000, payable from funds held in trust for the particular tribe concerned, to remain available until expended: *Provided*, That title to any lands or improvements so purchased shall be taken in the name of the United States in trust for the tribe for which purchased: *Provided further*, That no part of this appropriation shall be used for the acquisition of land or water rights outside the boundaries of existing Indian reservations.

Restriction.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, $350,000, payable from tribal funds as follows: Menominee, Wisconsin, $167,500; Fort Mojave, Arizona, $15,000; Lummi, Washington, $2,500; Makah, Washington, $20,000; Nez Perce, Idaho, $20,000; Standing Rock, North Dakota, $50,000; Blackfeet, Montana, $75,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1948 are hereby continued available during the fiscal year 1949 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1949 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

Funds continued available.

61 Stat. 470.

Educational loans.

Availability of funds.

Tribal enterprises.

Regulations.

48 Stat. 986.

Advances.

48 Stat. 986.

Pima cropping operations (tribal funds): For continuing subjugation and for cropping operations on the lands of the Pima Indians

in Arizona, there shall be available not to exceed $200,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Suppressing forest and range fires (tribal funds): For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, $25,000, payable from funds held by the United States in trust for the respective tribes interested.

Support of Indian schools (tribal funds): For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf, dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than $712,000: *Provided*, That payment may be made from the date of admission for such tuition and care of Indian pupils.

44 Stat. 560.
Tuition, etc.

Vehicles: Applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the purchase of not to exceed two hundred passenger motor vehicles, for replacement only, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for education of Indians, maintenance of buildings, reservation administration, the Alaska native service, and conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Bureau of Indian Affairs above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Availability of appropriations.

Appropriations herein made for reservation administration, education of Indians, and conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Bureau of Indian Affairs.

Travel expenses, etc.

Appropriations herein made for the Bureau of Indian Affairs shall be available for travel expenses and the purchase of ice for official use of employees.

Aircraft.

The following appropriations herein made for the Bureau of Indian Affairs shall be available for hire, maintenance, and operation of aircraft: "Management, Indian forest and range resources"; "Suppressing forest and range fires"; "Alaska native service"; "Navajo and Hopi service"; and "Suppressing forest and range fires (tribal funds)." Appropriations for "Salaries and expenses, reservation administration" shall be available for the maintenance and operation of aircraft.

BUREAU OF RECLAMATION

Administrative provisions: Sums appropriated in this Act for the Bureau of Reclamation shall be available for all expenditures

authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures are authorized, including personal services in the District of Columbia; disseminating useful information, photographing and making photographic prints, and completing and distributing material, including recordings; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; lithographing; engraving; printing and binding; purchase of not to exceed one hundred and twenty-five for replacement only in fiscal year 1949, and hire of passenger motor vehicles; hire, maintenance and operation of aircraft; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), at rates for individuals not in excess of $100 per diem (not exceeding $100,000); for payment of claims for damage to or loss of property, personal injury, or death, arising out of the survey, construction, operation or maintenance of works by the Bureau of Reclamation; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary; payments (not to exceed the average per pupil cost in the State where construction is in progress) to school districts as reimbursement, while projects are actually under construction, for the instruction of dependents of employees of the Bureau of Reclamation and of contractors engaged on such projects: *Provided*, That a tuition charge of $25 per semester shall be charged and collected by the Bureau of Reclamaton for each such dependent attending such schools; payment of rewards, when specifically authorized by the Secretary, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and are in arrears for more than twelve months in the payment of any charges due from said lands to the United States.

32 Stat. 388.
43 U. S. C. §§ 391, 411.

Vehicles.

60 Stat. 810.

Damage claims.

Tuition.

Rewards.

Restriction.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

"The reclamation fund."

32 Stat. 388.

GENERAL OFFICES

Salaries and expenses (other than project offices): For expenses necessary during the fiscal year 1949, including personal services in the District of Columbia, in the administration and performance by other than project offices of Bureau of Reclamation functions, $3,600,000, to be available for the purposes, among others, specified under the head "Operation and maintenance administration", Bureau of Reclamation, in the Department of the Interior Appropriation Act, 1945, and reimbursable as to expenditures for operation and maintenance administration to the same extent as is provided under said head: *Provided*, That in addition to the foregoing amount there may be transferred to this appropriation from other appropriations made to the Bureau of Reclamation not to exceed $7,800,000 for work to be performed for the benefit of specific projects: *Provided further*, That not exceeding $50,000 of funds available for expenditure under

58 Stat. 487.

Specific projects.

Informational work.

Requirements for certain positions.

this appropriation shall be used for salaries and expenses in connection with informational work: *Provided further*, That after January 31, 1949, no part of any appropriation for the Bureau of Reclamation contained in this Act shall be used for the salaries and expenses of a person in any of the following positions in the Bureau of Reclamation, or of any person who performs the duties of any such position, who is not a qualified engineer with at least five years' engineering and administrative experience: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; and (3) Regional Director of Reclamation: *Provided further*, That not exceeding $48,000,000 of appropriations available for expenditure by the Bureau of Reclamation during the fiscal year 1949 shall be used for administrative personal service and other personal services: *Provided further*, That the total number of employees in the Bureau of Reclamation holding a permanent, temporary, or other appointment in grades CAF–9 and P–3, or above, shall not exceed three thousand five hundred at any one time during the fiscal year 1949.

Administrative service.

Limitation on number of employees.

GENERAL INVESTIGATIONS

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers and the Federal Power Commission, $3,500,000, which may be used to execute detailed surveys, and to prepare construction plans and specifications for specific projects or parts of projects until appropriations are available for construction thereof: *Provided*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the construction estimates for which are not based upon current construction prices and costs: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigations;

CONSTRUCTION

Ante, p. 1040.

Construction: For construction and continuation of construction of the following projects in not to exceed the following amounts, all to be reimbursable (except as otherwise provided by law) under the reclamation law, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress:

Santa Barbara County project, California, Cachuma Unit, $1,000,000, and in addition thereto the Commissioner of Reclamation is authorized to enter into contracts in an amount not in excess of $1,600,000;

Paonia project, Colorado, $471,000;

Boise project, Idaho, Payette division, $1,525,000; Anderson Ranch Dam, $5,100,000;

Lewiston Orchards project, Idaho, $1,136,000;

Minidoka project, Idaho: The limitation on the amount available for surveys and preconstruction work in connection with the North Side pumping division stated in the Interior Department Appropriation Act, 1947, is increased from $100,000 to $147,500;

60 Stat. 365.

Palisades project, Idaho, the Commissioner of Reclamation is authorized to enter into contracts in an amount not in excess of $2,000,000;

Sun River project, Montana, $45,000;

Tucumcari project, New Mexico, $1,293,000;

Rio Grande project, New Mexico-Texas, $57,985;

W. C. Austin project, Oklahoma, $320,000;

Deschutes project, Oregon, $580,000, of which $350,000 shall be available toward emergency reconstruction of Ochoco Dam subject to allocations under section 7 of the Reclamation Project Act of 1939, and repayment of reimbursable amounts under terms satisfactory to the water users and the Bureau of Reclamation; 53 Stat. 1192. 43 U. S. C. § 485f.

Owyhee project, Oregon, $150,000;

Ogden River project, Utah, $34,000;

Provo River project, Utah, $1,980,000;

Yakima project, Washington, Roza division, $1,298,650;

Riverton project, Wyoming, $1,780,175;

Shoshone project, Wyoming, Power division, $430,000;

Total, construction, from reclamation fund, $17,200,810.

OPERATION AND MAINTENANCE

Parker Dam power project, Arizona-California: Not to exceed $2,645,380 from power and other revenues shall be available for operation and maintenance;

Yuma project, Arizona-California: For operation and maintenance, $116,000: *Provided*, That from accumulated power revenues not to exceed $32,000 shall be available for the operation and maintenance of the commercial system, and not to exceed $78,000 shall be available to reimburse the Colorado River Dam fund, All-American Canal, for the cost of connecting the All-American Canal with the Siphon Drop power plant, and for the repairs and betterments to such power plant, to be available for expenditure for construction of said canal;

Central Valley project, California: For operation and maintenance, $230,437: *Provided*, That not to exceed $814,400 from power revenues shall be available for the operation and maintenance of the power system;

Colorado-Big Thompson project, Colorado: Not to exceed $150,000 from power revenues shall be available for the operation and maintenance of the power system;

Boise project, Idaho: For operation and maintenance, $220,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, $30,000: *Provided*, That not to exceed $447,500 from the accumulated replacement reserve and current power revenues shall be available for the operation, maintenance, and rehabilitation of the commercial system;

North Platte project, Nebraska-Wyoming: Not to exceed $169,500 from the power revenues shall be available for the operation, maintenance, and rehabilitation of the commercial system; and not to exceed $6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water; 43 Stat. 703.

Rio Grande project, New Mexico-Texas: Not to exceed $235,000 from power revenues shall be available for the operation and maintenance of the power system;

Deschutes project, Oregon: For operation and maintenance, $101,250;

Owyhee project, Oregon: For operation and maintenance, $292,500;

Refunds to lessees.

Klamath project, Oregon-California: For operation and maintenance, $217,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Columbia Basin project, Washington: Not to exceed $1,645,000 from power revenues shall be available for operation, maintenance, and replacements, including operation and maintenance of camp and other facilities turned over by construction contractors, and similar facilities and the furnishing of services related thereto;

Yakima project, Washington: For operation and maintenance, $337,500: *Provided*, That not to exceed $25,000 from power revenues shall be available for operation and maintenance of the power system;

Kendrick project, Wyoming: Not to exceed $206,250 from the power revenues shall be available for the operation and maintenance of the power system;

Riverton project, Wyoming: For operation and maintenance, $93,700: *Provided*, That not to exceed $57,212 from the power revenues shall be available for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, $77,200: *Provided*, That not to exceed $104,800 from the power revenues shall be available for the operation and maintenance of the commercial system.

REHABILITATION AND BETTERMENT

For rehabilitation and betterment of existing projects $1,500,000: *Provided*, That, at the discretion of the Secretary, repayment may be scheduled after the completion of repayment of existing obligations of the water users' organizations concerned.

GENERAL PROVISIONS

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1949, on any reclamation project appropriated for herein under the reclamation fund, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1949 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations: Ten per centum of the foregoing amounts for operation and maintenance projects shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary;

Total, from reclamation fund, $34,132,439.

GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized

by Congress, and to be reimbursable (except as otherwise provided by law) under the reclamation law:

Gila project, Arizona, $2,470,000;

Davis Dam project, Arizona-Nevada, $22,125,000;

Parker Dam power project, Arizona-California, $212,000;

Central Valley project, California: Joint facilities, $1,750,000; irrigation facilities, $30,876,900; irrigation distribution system, $1,000,000; power facilities, surveys, $20,000, Shasta power plant, $1,000,000, Keswick Dam, $1,700,000, Keswick power plant, $1,000,000; switch yards, Shasta, Keswick and Tracy pumping plant, $3,250,000; transmission lines, Shasta to Delta (Tracy) via Oroville and Sacramento, $500,000, Shasta Dam to Shasta substation, $250,000; substation, Contra Costa, $12,000; in all, $41,358,900, no part of which shall be available for examination and surveys in connection with power facilities in any State other than the State of California: *Provided*, That the unobligated balance on June 30, 1948, of funds heretofore appropriated for this project shall be classified under and combined with these amounts and shall be expendable only for the specific purposes set forth in this paragraph, subject to determination by the Comptroller General;

Kern River project, California, $42,500;

Colorado-Big Thompson project, Colorado, $20,225,000;

Hungry Horse project, Montana, $14,611,650;

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), $45,312,000; 16 U. S. C. §§ 835–835i.

Total, general fund, construction, $146,357,050.

WATER CONSERVATION AND UTILIZATION PROJECTS

Buford-Trenton project, North Dakota: Not to exceed $126,000 of the unexpended balances of appropriations heretofore made under the heading "Water Conservation and Utilization Projects", shall be available for completion of construction of the Buford-Trenton project, North Dakota.

FORT PECK PROJECT

Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the Act of May 18, 1938 (16 U. S. C. 833), $990,000, to be immediately available and to remain available until expended. 52 Stat. 403.

MISSOURI RIVER BASIN

Missouri River Basin (reimbursable to the extent and as provided in the Act of December 22, 1944 (Public Law 534)): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior, pursuant to section 9 of the Act of December 22, 1944 (Public Law 534) and section 18 of the Flood Control Act of 1946 (Public Law 526) (including the construction of transmission lines and the purchase of power) and for continuing investigations on the general plan of development, $54,786,650, to remain available until expended: *Provided*, That this appropriation shall be expended, either independently or through or in cooperation with existing Federal and State agencies: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate Canyon Ferry Reservoir at a higher maximum normal pool elevation than three thousand seven hundred and sixty-six feet, unless and until new land in Broadwater County, Montana, equal in acreage to the irrigated land to be inundated in Canyon Ferry Reservoir above elevation of 3,766 feet is

58 Stat. 887.
16 U. S. C. §§ 460d, 825s; 33 U. S. C. §§ 701a–1, 701c and note, 701f, 701j notes, 708, 709; 43 U. S. C. § 390.
60 Stat. 653.

Canyon Ferry Reservoir.

provided with facilities for irrigation; or for or in connection with the acquisition or installation of the power facilities or transmission facilities for delivering power from the Canyon Ferry project, Montana: *Provided further*, That no part of this appropriation may be used for surveys, design, or construction of the Glendo project, Wyoming, or any feature thereof to a greater capacity or for other purposes than set forth in Senate Document Numbered 191, Seventy-eighth Congress, Second Session, without the specific authorization of Congress.

Glendo project, Wyo.

COLORADO RIVER DEVELOPMENT FUND

Colorado River development fund (expenditure account): For investigations of projects for the utilization of waters of the Colorado River system in the four States of the upper division, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), $900,000 from the Colorado River development fund (holding account), the unobligated balance of said amount at the end of the fiscal year to revert to the fund: *Provided*, That the existence of this appropriation item shall not preclude the use in any part of the States of the Colorado River Basin of funds appropriated for general investigations: *Provided further*, That no part of this appropriation shall be available for the preparation of any comprehensive plan or project report the construction estimates for which are not based upon current construction prices and costs.

43 U. S. C. § 618a; Supp. I, § 618a. *Ante*, pp. 235, 284.

COLORADO RIVER DAM FUND

Boulder Canyon project: For operation, maintenance, and replacements of the dam, power plant, and other facilities, of the Boulder Canyon project, $1,500,000, payable from the Colorado River dam fund, including payments to the Boulder City school district in accordance with the provisions of Public Law 528, approved May 12, 1948. Said payments for dependents of those employees of the Bureau of Reclamation directly employed in the construction, operation, and maintenance of the project shall be deemed a part of the cost of operation and maintenance of said project under section 1 (a) of the Boulder Canyon Project Adjustment Act (Act of July 19, 1940, 54 Stat. 774). Other such payments shall be deemed nonproject costs. The Secretary shall submit to the Appropriations Committees annually a justification showing all investments and expenditures made or proposed out of the Colorado River dam fund, for the joint use of the project and of other Federal activities at or near Boulder City. In the proportion that such investments and expenditures were or shall be for the use of such other Federal activities and not related to the construction, operation, or maintenance of the project they shall be deemed nonproject investments and expenditures. The obligation under the provision of section 2 of the said Act to repay to the United States Treasury advances and readvances to the Colorado River dam fund which obligation is made the basis for computation of rates under the provisions of section 1 of said Act, shall be diminished in the amount that nonproject investments or expenditures are or have been made from said fund and the rates computed pursuant to said section 1 of said Act shall reflect such diminution.

Ante, pp. 221, 235.

43 U. S. C., Supp. I, § 618 (a).

Report to Congressional committees.

ADVANCES TO COLORADO RIVER DAM FUND

Boulder Canyon project: For continuation of construction of the Hoover Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such

Ante, p. 1041.

reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), $1,700,000, to be immediately available and to remain available until advanced to the Colorado River dam fund.

45 Stat. 1057. 43 U. S. C. §§ 617–617t; Supp. I, § 617 note.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations as authorized by the Boulder Canyon Project Act approved December 21, 1928 (43 U. S. C., ch. 12A); to be immediately available, and to remain available until advanced to the Colorado River dam fund, $4,000,000: *Provided*, That amounts heretofore or hereafter received from the Republic of Mexico for temporary water service by means of such works shall be applied against construction costs, including incidental operations, and shall be available for payment of the cost of such operations.

45 Stat. 1057. 43 U. S. C. §§ 617–617t; Supp. I, § 617 note.

Amounts received from Mexico.

COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

For operating and maintaining the Colorado River front work and levee system in Arizona, Nevada, and California; constructing, improving, extending, operating, and maintaining protection and drainage works and systems along the Colorado River; controlling said river and improving, modifying, straightening, and rectifying the channel thereof; and conducting investigations and studies in connection therewith; as authorized by Public Law 469, approved June 28, 1946; $1,050,000, to remain available until expended: *Provided*, That not to exceed $25,000 of the foregoing appropriation shall be available for maintenance work on the temporary weir in the Colorado River below the heading of the diversion canal for the Palo Verde Irrigation District of California.

60 Stat. 338.

ALASKAN INVESTIGATIONS

For engineering and economic investigations, as a basis for legislation, and for reports thereon, relating to projects for the development and utilization of the water power resources of Alaska, $150,000, which shall be available for, but not restricted to, services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and rations and quarters for field parties while away from inhabited communities in which such facilities are available.

60 Stat. 810.

No part of any appropriation for the Bureau of Reclamation, contained in this or any prior Act, which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided*, That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of section 665 of title 31 of the United States Code.

Restriction on certain obligations.

Not exceeding 8 per centum of the construction appropriation for any project under the Bureau of Reclamation contained in this Act shall be available for construction work by force account, or on a hired labor basis, except for projects or items the estimated construction cost of which does not exceed $200,000, and only then in cases where the Bureau of Reclamation finds the lowest bids to be excessive.

Construction work by force account, etc.

Transfer of property, etc.

The War Assets Administration or any other Federal agency having ownership or custody thereof or interest therein is hereby directed to transfer to the Davis Dam project, without exchange of funds, the following described interests and facilities, including spare parts, of the Basic Magnesium project, Henderson, Nevada:

(a) The project's interest and equity in the part of Hoover Dam power plant switchyard known as T–7A;

(b) Two 230-kilovolt transmission lines between the said Hoover Dam power plant switchyard and the Basic Magnesium project substation, including all two hundred and thirty-kilovolt switching equipment at the terminal of the lines at the Basic Magnesium project, together with appurtenant permits, rights-of-way, or other interest in realty;

(c) Three original seventy-five-thousand-kilovolt ampere, 230/13.8-kilovolt transformer banks and associated low voltage switching equipment included within the zone of differential protection for said transformers.

Upon transfer of the facilities herein described, the Secretary shall determine the amount of their fair value to the Davis Dam power system, and such amount shall be included in the determination of construction investment and other fixed charges which are required by section 9 of the Reclamation Project Act of 1939, as amended, to be considered in establishing rates for the sale of electric power.

53 Stat. 1193.
43 U. S. C. § 485h.

Transfer of aircraft engines, etc.

The Departments of Air Force, Army, and Navy, the Civil Aeronautics Administration, and the War Assets Administration are authorized during the fiscal year 1949 to transfer to the Bureau of Reclamation aircraft engines, parts, accessories, and other aircraft equipment, materials and supplies, surplus to the needs of such agencies, as may be required by said Bureau of Reclamation, such transfers to be without charge therefor.

Transfer of property.

The War Assets Administration or other Federal agencies having ownership or custody thereof or interest therein is hereby directed to transfer to the Bureau of Reclamation, without exchange of funds, the following-described lands, improvements, buildings, facilities, and interest:

(a) Government-owned real property, identified by the War Assets Administration as Plancor 587, located at Columbus, Stillwater County, Montana, consisting of approximately one and five-tenths acres of land and two garage-shop and warehouse buildings located thereon containing approximately thirty-four thousand four hundred square feet.

(b) Government-owned warehouse situated on land owned by the Northern Pacific Railway Company and leased to the Government, identified by the War Assets Administration as Plancor 133, located at Columbus, Stillwater County, Montana, containing approximately eight thousand square feet of floor space.

Transfer of lands.

The War Assets Administration or other Federal agency having ownership or custody thereof or interest therein is hereby directed to transfer to the Bureau of Reclamation without exchange of funds, the following-described lands, together with improvements, buildings, facilities, equipment, and interest:

A parcel of that section of the Grand Island Army Air Field, Grand Island, Nebraska, lying west of First Road West, formerly known as the station hospital area, and described in detail as follows:

Approximately forty acres of land generally defined as the northeast quarter southeast quarter section 34, township 12 north, range 9 west. It is the desire to acquire all land abutting against lands presently owned by the city of Grand Island and including such portions of Road One West and right-of-way between Chapel Street and the point one hundred and eighty feet south of the intersection with

Second Street South, to give continuous ownership in the east and west direction as between the United States Government (Bureau of Reclamation) and the city of Grand Island. The records show that all of this land was acquired from individual owners by the United States of America during August and September 1943, and the transfers are recorded with the registrar of deeds, Hall County, Nebraska, and the following buildings located in the hospital area numbered as follows: T-1112, T-1113, T-1114, T-1115, T-1116, T-1117, T-1118, T-1122, T-1100, T-1103, T-1104, T-1105, T-1107, T-1101, T-1102, T-1106, T-1108, T-1109, T-1110, T-1111, and T-1120, together with all roads, improvements, electric power lines, heating lines, water lines, sewer systems, Air-Temp units, steam boilers, and other appurtenances to the above-listed buildings, and all other facilities and equipment incident to said hospital area not heretofore disposed of.

Transfer of funds.

The War Assets Administration is authorized and directed to transfer to the Bureau of Reclamation unexpended balances of funds available for maintenance and protection of transferred property under the Department of the Interior Appropriation Act of 1947 (Public Law 478, Seventy-ninth Congress) to reimburse the Bureau of Reclamation for expenditures made for the maintenance and protection of the Yuma Army Air Base and such transfer shall be made hereafter for the maintenance and protection of the Yuma Army Air Base, pending its final disposition as contemplated in the Interior Appropriation Act of 1948 (Public Law 247, Eighteenth Congress, first session).

60 Stat. 369.

61 Stat. 477.

Transfer of building, etc.

The Reconstruction Finance Corporation is authorized and directed to transfer to the Bureau of Reclamation, without reimbursement or transfer of funds, all of its right, title, and interest in and to a certain building and improvements under Defense Plant Corporation project, Plancor 1437, constructed on the War Relocation Center at the Heart Mountain Division of the Shoshone project, Wyoming.

GEOLOGICAL SURVEY

General expenses.

For salaries and expenses necessary for the Geological Survey, including personal services in the District of Columbia; purchase (not to exceed one hundred and sixty-six, of which one hundred and forty-six shall be for replacement only) and hire of passenger motor vehicles and the maintenance and operation of aircraft; and exchange of unserviceable passenger and freight vehicles as part payment for new freight vehicles; as follows:

Salaries and expenses: For personal services in the District of Columbia, and other expenses, $237,350;

Topographic surveys: For topographic surveys in the United States, Alaska, the Virgin Islands, and Puerto Rico, $4,350,000, of which not to exceed $540,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That $610,000 of this amount shall be available only for such cooperation with States or municipalities;

Cooperation with States, etc.

Amount available.

Geologic surveys: For geologic surveys in the United States and chemical and physical researches relative thereto, including the printing of geologic reports, $2,625,000, of which not to exceed $592,500 may be expended for personal services in the District of Columbia;

Mineral resources of Alaska: For investigation of the mineral

resources of Alaska, $325,000, of which not to exceed $97,500 may be expended for personal services in the District of Columbia;

Gaging streams: For gaging streams and determining the water supply of the United States, its Territories and possessions, investigating underground currents and artesian wells and methods of utilizing the water resources, $3,496,700, of which not to exceed $10,000 may be expended for acquiring lands at gaging stations, and not to exceed $300,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto, in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That $2,361,900 of this amount shall be available only for such cooperation with States or municipalities: *Provided further*, That no part of the funds appropriated in this paragraph shall be used for the payment, directly or indirectly, for the drilling of water wells for the purpose of supplying water for domestic use: *Provided further*, That not to exceed $10,000 of this appropriation shall be available for payment of the compensation and expenses of the person appointed by the President pursuant to the Act of April 19, 1945 (Public Law 34), to participate as the representative of the United States in the negotiation of a compact between the States of Colorado and Kansas relative to the division of the waters of the Arkansas River and its tributaries: *Provided further*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay;

Cooperation with States.

Amount available.

Compact between Colo. and Kans.

59 Stat. 53.

Appointment of retired Army officer.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary; and for performance of work for the Federal Power Commission, $300,000, of which not to exceed $65,725 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $120,000; for preparation of illustrations, $32,950; and for engraving and printing geologic and topographic maps, $450,000; in all, $602,950;

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, travel, and the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $690,000, of which not to exceed $78,600 may be expended for personal services in the District of Columbia;

38 Stat. 742; 40 Stat. 297; 41 Stat. 437, 1363.

Cooperative advance: To enable the Geological Survey to meet obligations incurred by it arising from cooperative work pending reimbursement from cooperating agencies, $400,000, which amount shall be returned to the Treasury not later than six months after the

close of the fiscal year 1949 out of reimbursements received from cooperating agencies;

Cooperative work on scientific, etc., investigations.

During the fiscal year 1949 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That not to exceed 5 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be increased more than 5 per centum thereby. Any such transfer shall be reported to Congress in the annual Budget;

Transfer of funds.

Interchange of amounts.

Report to Congress.

Contracts for maps, etc.

In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract for the furnishing of topographic maps made from aerial photographs, or for the making of geophysical or other specialized surveys;

Transfer of aircraft.

The Geological Survey may acquire from the Department of National Defense or from any disposal agency of the Government without reimbursement or transfer of funds, one aircraft for replacement only; including engines, parts, accessory, and flying equipment.

In all, salaries and expenses, Geological Survey, $13,027,000.

BUREAU OF MINES

Salaries and expenses: For expenses necessary for the general administration of the Bureau of Mines, including $95,100 for personal services in the District of Columbia, and $65,000 for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $164,600.

Operating mine-rescue cars and stations and investigation of mine accidents: For expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other investigations pertinent to the mining industry; including the construction of temporary buildings; equipment and supplies; printing and binding of technical papers and reports; travel expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; and not to exceed $93,800 for personal services in the District of Columbia, $1,165,000, of which not to exceed $500 may be expended for the purchase and bestowal of certificates and trophies in connection with mine-rescue and first-aid work.

Control of fires in inactive coal deposits: For expenses, without regard to section 3709, Revised Statutes, as amended, necessary to enable the Bureau of Mines to investigate, control, and extinguish, on public lands and with the consent of the owner on private lands, fires in inactive coal deposits in the United States and its possessions, including emergency and temporary contracts for personal services and hire of vehicles and equipment necessary for the purposes of this appropriation, purchase of not to exceed three passenger motor vehicles; including the employment of personnel without regard to

41 U. S. C. § 5.

civil-service requirements, and not to exceed $16,000 for personal services in the District of Columbia; $250,000: *Provided*, That the Director is authorized to accept money, lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the said Director is hereby authorized and directed to make suitable arrangements with owners of private property or with a State or its subdivision for payment of a sum equal to one-half the amount of expenditure to be made for control or extinguishment from funds provided under the authorization of this Act except that expenditure of Federal funds for this purpose in any privately owned operating coal mine shall be limited to investigation and supervision.

Acceptance of contributions.

Payment by private property owners.

Coal-mine inspections and investigations: For expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the Act of May 7, 1941 (30 U. S. C. 4f); including not to exceed $150,000 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; printing and binding of technical papers and reports; operation, maintenance, and repair of motor-propelled trucks and other motor vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and expenses of employees in attendance at meetings and conferences held for promoting safety and health in the coal-mining industry; $2,431,500.

55 Stat. 177.
30 U. S. C., Supp. I, § 4f note.

Vehicles.

Testing fuel: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, including printing and binding of technical papers and reports; and not to exceed $106,700 for personal services in the District of Columbia; $506,600.

Recommendations to Government agencies.

Anthracite mining investigations: For expenses necessary to conduct inquiries and scientific and technologic investigations cocerning the mining, preparation, treatment, and use of anthracite coals; the employment of personnel without regard to civil-service requirements; including items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; printing and binding of technical papers and reports; and not to exceed $25,000 for personal services in the District of Columbia, $396,100.

Ante, p. 1113.

Lignite research laboratory: For the construction and equipment of a lignite research laboratory at Grand Forks, North Dakota, as authorized by the Act of March 25, 1948 (Public Law 454), including necessary supplemental tracts of land; not to exceed $75,000 for employment, by contract or otherwise, at such rates of compensation as the Secretary may determine, of engineers, architects, or firms or corporations thereof necessary to design and supervise construction of said laboratory; and not to exceed $7,500 for personal services in the District of Columbia; $200,000, to remain available until expended, and in addition thereto the Secretary is authorized to enter into contracts for this purpose in an amount not exceeding $550,000.

Ante, p. 85.

Synthetic liquid fuels: For expenses, without regard to section 3709, Revised Statutes, as amended, necessary to carry into effect the Act

41 U. S. C. § 5.

authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and so forth, approved April 5, 1944 (30 U. S. C. 321–325), including construction and acquirement of camp and laboratory buildings and equipment, personal services in the District of Columbia (not exceeding $100,000); printing and binding; and purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", $9,750,000, to remain available until expended: *Provided*, That these funds may be utilized to provide transportation between the proposed plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of these plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of these plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

58 Stat. 190.
Ante, p. 79.

Ante, p. 1113.
Transportation.

Pooling of equipment.

Mineral mining investigations: For scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, and economy in the mining, quarrying, metallurgical, and other mineral industries; including all equipment, supplies, expenses of travel, printing and binding of technical papers and reports, and not to exceed $40,000 for personal services in the District of Columbia, $403,300: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party.

Restriction.

Investigation and development of domestic mineral deposits, except fuels: For expenses necessary to enable the Bureau of Mines to investigate, develop, and experimentally mine, on public lands and with the consent of the owner on private lands, deposits of minerals in the United States and its possessions, including surface and subsurface investigations, laboratory tests, the construction, maintenance, and repair of necessary camp buildings, core storage facilities, mining structures and appurtenances, the lease of lands or buildings; printing and binding of technical papers and reports; and not to exceed $45,000 for personal services in the District of Columbia, $1,560,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Acceptance of lands, etc.

Coal investigations: For expenses necessary to enable the Bureau of Mines to investigate known coal deposits in the United States and its possessions; including purchase of items otherwise properly chargeable to the appropriation, "Contingent expenses, Department of the Interior"; printing and binding of technical papers and reports; and not to exceed $45,000 for personal services in the District of Columbia; $300,000: *Provided*, That the Director of the Bureau of Mines is authorized to carry on such investigations in cooperation with other agencies, Federal, State, or private: *Provided further*, That the said Director is hereby authorized and directed to make suitable arrangements with owners of private property upon which exploration or development work is performed for payment by such owners of a reasonable percentage, as determined by the Secretary of the Interior, of the total value of the minerals thereafter produced from such property.

Ante, p. 1113.

Cooperation in investigations.

Payment by owners of private property.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every expense incident thereto, including purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and printing and binding of technical papers and reports; $606,000, of which not to exceed $44,000 may be expended for personal services in the District of Columbia.

Ante, p. 1113.

Mining experiment stations: For personal services, printing and binding of technical papers and reports, and other expenses in connection with the construction, establishment, maintenance, and operation of mining experiment stations, as provided in the Act of March 3, 1915 (30 U. S. C. 8), $1,385,000, of which not to exceed $41,800 may be expended for personal services in the District of Columbia.

38 Stat. 959.

Metallurgical research and pilot plants: For expenses necessary to enable the Bureau of Mines to conduct laboratory, pilot plant, and demonstration plant tests to establish methods for more effectively utilizing the mineral resources in the United States and its possessions, including the lease of lands or buildings; research on and development of processes for production and utilization of metals and nonmetallic minerals; construction of buildings to house laboratories, pilot plants, and demonstration plants; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; printing and binding of technical papers and reports; and not to exceed $32,500 for personal services in the District of Columbia; $1,460,000: *Provided*, That the Director of the Bureau of Mines, for the purposes of this appropriation, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Ante, p. 1113.

Acceptance of lands, etc.

Pittsburgh and Bruceton, Pa.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, and other expenses requisite for and incident thereto, including not to exceed $175,000 for additions and improvements, $317,300.

Economics of mineral industries: For investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies, and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; purchase of furniture and equipment; stationery and supplies; and other necessary expenses not included in the foregoing, $708,500, of which not to exceed $588,500 may be expended for personal services in the District of Columbia.

Helium utilization and research: For expenses necessary to conduct inquiries and scientific and technologic investigations concerning resources, production, repurification, storage, and utilization of helium, independently or in cooperation with other agencies, public or private; including purchase of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; $91,000, of which not to exceed $9,300 may be expended for personal services in the District of Columbia.

Ante, p. 1113.

Transfer of funds.

Helium production and investigations: The sums made available for the fiscal year 1949 in the Acts making appropriations for the

Departments of the Air Force, Army, and Navy for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1948, for operation and maintenance of the plants for the production of helium for military and naval purposes, including the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior" (not exceeding $5,000); printing and binding of technical papers and reports; and $46,500 for personal services in the District of Columbia: *Provided*, That section 3709, Revised Statutes, as amended, shall not be construed to apply to this appropriation, or to the appropriation for development and operation of helium properties (special fund) in section 3 (c) of the Act of September 1, 1937 (50 U. S. C. 164): *Provided further*, That funds available for the production of helium and the development of helium properties may be utilized to provide transportation between helium plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of helium plants; and for transportation to and from schools of pupils who are dependents of such persons: *Provided further*, That pursuant to agreements approved by the Secretary, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of helium plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

Ante, p. 1113.

41 U. S. C. § 5.

50 Stat. 886.

Transportation.

Pooling of equipment.

During the fiscal year 1949 the head of any department or independent establishment of the Government having funds available for scientific investigations within the scope of the functions of the Bureau of Mines may, with the approval of the Secretary, transfer to the Bureau such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended.

Scientific investigations.

The Federal Security Administrator may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines.

Detail of medical officers.

The Bureau of Mines is authorized, during the fiscal year 1949, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated from funds appropriated to the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Sale of mineral products.

The following appropriations herein made to the Bureau of Mines shall be available for the maintenance, and operation of aircraft: "Operating rescue cars and stations and investigation of accidents"; "Investigation and development of domestic mineral deposits, except fuels"; and "Metallurgical research and pilot plants".

Aircraft.

Appropriations in this Act to the Bureau of Mines shall be available for the purchase (not to exceed eighty, of which thirty shall be for replacement only) and hire of passenger motor vehicles.

The Department of the Army is authorized to transfer to the Department of the Interior, for the use of the Bureau of Mines, without compensation therefor, full jurisdiction, possession, and control of a parcel of ten acres, more or less, from that portion of Fort Douglas Military Reservation in the county of Salt Lake, State of Utah, which lies immediately north of the site of the Bureau of Mines Intermountain Experiment Station and is situated between a line beginning at a point four hundred feet north of the northwest corner

Transfer of portion of Ft. Douglas Military Reservation, Utah.

of the United States Bureau of Mines property granted by deed from the University of Utah May 21, 1938, said point being on the south curb of Fort Douglas Boulevard and running thence south three hundred and twenty feet to the east-west boundary line between the University of Utah and Fort Douglas; thence east six hundred and four and five-tenths feet to the north-south boundary between the University of Utah and Fort Douglas; thence south along said north-south boundary four hundred and eighty feet to a line on the south boundary (extended) of the United States Bureau of Mines property above mentioned; thence east two hundred and sixty-two feet; thence north nine hundred and fifty-two and six-tenths feet to the south curb of Fort Douglas Boulevard; thence westerly along said south curb of Fort Douglas Boulevard to the point of beginning, said enclosure embracing ten acres.

NATIONAL PARK SERVICE

Salaries and expenses: For expenses, including personal services in the District of Columbia, necessary for the general administration of the National Park Service, including $100,000 for printing and binding, $765,000.

Regional offices: For expenses of regional offices, $665,000.

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington, $3,750,000.

National monument, historical, and military areas: For administration, protection, maintenance, improvement, and preservation of national monuments, historical parks, memorials, historic sites, military parks, battlefields, and cemeteries, including not exceeding $308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, and the maintenance of structures on the former Cape Hatteras Light Station Reservation within the Cape Hatteras National Seashore Recreational Area project, $1,625,000.

Recreational areas: For administration, protection, maintenance, and improvement, pursuant to cooperative agreements, of areas devoted to recreational use which are under the jurisdiction of other Federal agencies, $300,000.

Emergency reconstruction and fighting forest fires: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in areas under the jurisdiction of the National Park Service that are damaged or destroyed by flood, fire, storm, or other unavoidable causes, and for fighting or emergency prevention of forest fires in areas administered by the National Park Service, or fires that endanger such areas, including lands in process of condemnation for national park or monument purposes, $30,000, together with such sums as may be necessary to be transferred from the foregoing appropriations for the National Park Service, any such diversions of appropriations to be reported to Congress in the annual Budget.

Transfer of funds.

Report to Congress.

Accounting.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably and any such diversion of funds shall be reported to Congress in the annual Budget.

Interchange of amounts; report to Congress.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the acquisition thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public

use of areas under the jurisdiction of the National Park Service, to remain available until expended, $15,000.

Travel Division: For expenses necessary in carrying out the Act of July 19, 1940 (16 U. S. C. 18), including personal services in the District of Columbia; participation by the Travel Division in international expositions and conferences dealing with travel; and printing and binding; $60,000. 54 Stat. 773.

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, $10,000.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Arlington Memorial Bridge, George Washington Memorial Parkway, monuments and memorials in the District of Columbia and area adjacent thereto, Lee Mansion, Battleground National Cemetery, Chopawamsic Park, Chesapeake and Ohio Canal, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924 (43 Stat. 174), as amended, of the United States park police force, purchase of revolvers and ammunition, purchase, cleaning, and repair of uniforms for police, guards, and elevator conductors, and equipment, per diem employees at rates of pay approved by the Secretary not exceeding current rates for similar services in the District of Columbia, stenographic reporting service, carfare, and newspapers (not to exceed $100), $790,000. National Capital parks. D. C. Code §§ 8-102, 8-106 notes. D. C. Code § 4-201 *et seq.*

For investigations and studies of the recreational resources and the archeological remains in the river basins of the United States (except the Missouri River Basin), including reports, recommendations, and plans, in cooperation with the United States Corps of Engineers and the Bureau of Reclamation pursuant to the provisions of cooperative agreements, and including personal services in the District of Columbia, $137,954. Studies of recreational resources, etc.

Acquisition of lands: For the acquisition of privately owned lands or interests therein within the authorized boundaries of established areas under the jurisdiction of the National Park Service, including expenses incidental thereto and personal services in the District of Columbia, $200,000, to remain available until expended, of which $150,000 shall be available only for lands within Colonial National Historical Park; Fredericksburg and Spotsylvania County Battlefields Memorial and Gettysburg National Military Parks; Manassas National Battlefield Park; Badlands, Dinosaur, George Washington Birthplace, Joshua Tree, Petrified Forest, and Scotts Bluff National Monuments; and Big Bend (parcels of land adjoining Big Bend National Park necessary to connect the park road system with State Highway 227), Glacier, Grand Canyon, Great Smoky Mountains, Kings Canyon, Lassen Volcanic, Mesa Verde, Mount Rainier, Olympic, Rocky Mountain, Sequoia, Yosemite, and Zion National Parks.

Parkways, National Park Service: The Secretary is hereby authorized to incur obligations and enter into contracts, not exceeding a total of $2,680,000, for the construction of the Blue Ridge, Natchez Trace, George Washington Memorial, and Foothills Parkways.

For the construction, reconstruction, improvement, repair, and maintenance of roads, trails, utilities, and buildings without regard to the Act of August 24, 1912, as amended (16 U. S. C. 451), including personal services in the District of Columbia, $4,762,350, to remain available until expended, including $3,110,000 for roads and trails of which $150,000 shall be available only for completing the grading and resurfacing of Heintooga Ridge Road, Great Smoky Mountains National Park; and $1,652,350 for the construction and repair of Construction of roads, etc. 37 Stat. 460.

buildings and utilities not otherwise provided for, of which not exceeding $50,000 shall be available for use in connection with the installation of two elevators at Carlsbad Caverns National Park, New Mexico.

Availability of appropriations.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and vicinity; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary may designate; for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression; for necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation while attending fire-protection training camps; and for official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary.

Telephone service in the field.

Vehicles.

Appropriations available to the National Park Service shall be available for the purchase (not to exceed forty, of which twenty-eight shall be for replacement only) and hire of passenger motor vehicles.

Transfer of surplus property.

The National Park Service is hereby authorized to acquire by transfer without exchange of funds, for three years beginning July 1, 1948, from the Departments of the Air Force, Army, and Navy, or the War Assets Administration equipment, materials, and supplies of all kinds, with an appraised value of not to exceed $3,000,000, from the surplus stores of those agencies, for use in the areas administered by the National Park Service or by any office of that Service in the United States, Alaska, and Hawaii: *Provided*, That the authorization in this paragraph shall not be construed to deny veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended.

Veterans' priority.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

For expenses necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For general administrative purposes, including personal services in the District of Columbia, $270,000, of which sum $31,000 shall be available for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals and the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress as they may direct.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including the erection of necessary buildings and other structures; propagation and distribution of food fishes and fresh-water mussels; development, recommendation, and application of means, including the construction of devices, to assure natural propagation and maximum survival of hatchery and other fishes; purchase, collection, and

transportation of specimens and other expenses incidental to the maintenance and operation of aquaria, $1,879,525, including not to exceed $2,000 for purchase of land adjoining the San Angelo, Texas, fish cultural station and expenses incident thereto, and not to exceed $35,000 for the construction and operation, in accordance with the provisions of the Act of August 14, 1946 (60 Stat. 1080), of fish cultural facilities on lands owned by the State of South Dakota.

16 U. S. C. §§ 661–666c.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, $36,300.

Investigations respecting food fishes: For investigations and studies into the cause of the decrease of food fishes, and other aquatic and plant resources, in connection therewith, and of means of securing a maximum sustained yield from such resources, including not to exceed $20,000 to investigate and eradicate the predatory sea lampreys of the Great Lakes as authorized by joint resolution of August 8, 1946, Public Law 672; maintenance, repair, improvement, equipment, and operation of fishery-experiment and biological stations; the construction of salmon-counting weirs, and the improvement of salmon-spawning streams in Alaska; $1,147,500.

Predatory sea lampreys, Great Lakes.

60 Stat. 930.

16 U. S. C. §§ 921–923.

Commercial fisheries: For collection and compilation of fishery statistics and related information; conducting investigations and studies of methods and means of capture, preservation, utilization, and distribution of fish and aquatic plants and products thereof, including investigation, study and research with respect to the utilization of packed sardines and the development of methods and procedures which should be employed in improving the quality and appearance of packed sardines; maintenance, repair, alteration, improvement, equipment, and operation of laboratories and vessels; and enforcing the applicable provisions of the Act authorizing associations of producers of aquatic products (15 U. S. C. 521); including contract stenographic reporting services, $510,000.

Packed sardines.

48 Stat. 1213.

Investigation, exploration, and development of Pacific fisheries: For expenses necessary to carry out the provisions of the Act of August 4, 1947 (Public Law 329), authorizing the exploration, investigation, development, and maintenance of the fishery resources and the development of the high-seas fishing industry of the Territories and island possessions of the United States in the tropical and subtropical Pacific Ocean, and intervening areas; printing and binding; temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); employment of officers and crews of vessels in accordance with policies and wage scales approved by the Secretary pursuant to the provisions of section 606 of the Federal Employees' Pay Act of 1946 (5 U. S. C. 946); and payment of subsistence allowances to officers and crews of vessels at rates approved by the Secretary; $1,000,000.

61 Stat. 726.

16 U. S. C., Supp. I, §§ 758–758d.

60 Stat. 810.

60 Stat. 218.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, market supply and demand, commercial movement, location, disposition, and market prices of fishery products, $143,000.

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; contract

stenographic reporting service; and construction of airplane base facilities at Anchorage, Alaska; $1,228,000.

58 Stat. 102.

Alaska fur-seal investigations: For investigations of Alaska fur seals pursuant to the Act of February 26, 1944 (16 U. S. C. 631i), $60,000.

46 Stat. 845; 49 Stat. 1246.
16 U. S. C., Supp. I, §§ 851–855.
61 Stat. 511.
16 U. S. C., Supp. I, §§ 776–776f.
26 U. S. C. § 124 note.

Enforcement of Black Bass, Whaling Treaty, and Sockeye Salmon Acts: For enforcement of the Act of July 2, 1930, as amended, and the Act of May 1, 1936 (16 U. S. C. 851–855, 901–915); and for carrying out the provisions of the Act of July 29, 1947 (Public Law 255), and of Executive Order No. 9802; $37,400.

45 Stat. 701.
16 U. S. C. § 581d.

Wildlife resources and management investigations: For investigations of wild game, wild fur animals, and other wildlife resources, causes of their depletion, and of means of securing a maximum sustained yield therefrom; for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581); for investigations of damage by birds to agricultural and horticultural crops, and developing and applying methods for control of such damage; and for investigations of the wildlife resources of the Territory of Alaska, $325,450.

46 Stat. 1468.

Control of predatory animals and injurious rodents: For investigations and demonstrations in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, and in protecting stock and other domestic animals through the supression of rabies and other diseases in predatory wild animals as authorized by law (7 U. S. C. 426), including not to exceed $3,000 for the purchase of printed bags, tags, and labels; and for repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), $1,000,000.

Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.

40 Stat. 755.
16 U. S. C., Supp. I, § 704 note.
54 Stat. 250.
35 Stat. 1137.
Ante, pp. 864, 1096.
31 Stat. 187.
Securing information of law violations.

Protection of migratory birds: For the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended, to carry into effect the treaty with Great Britain and the convention between the United States and the United Mexican States (16 U. S. C. 703–711); for cooperation with local authorities in the protection of migratory birds, including necessary investigations; for the enforcement of the Act for the protection of the bald eagle (16 U. S. C. 668–668d); for the enforcement of sections 241–244 of the Act approved March 4, 1909, as amended (18 U. S. C. 391–394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), including necessary investigations, $353,834, of which not to exceed $10,000 may be expended in the discretion of the Secretary for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

43 Stat. 739.
48 U. S. C., Supp. I, § 210.

Enforcement of Alaska game law: For the enforcement of the Act of January 13, 1925, as amended (48 U. S. C. 192–211), $225,000, of which not to exceed $10,000 may be expended in the discretion of the Secretary for the purpose of securing information in connection with and for the prosecution of violators of the law for the enforcement of which this appropriation is made available.

Maintenance of mammal and bird reservations: For the administration, protection, and maintenance of mammal and bird reservations and the maintenance and protection of game introduced into suitable localities on public lands, under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, repair of damage to public roads within reservation areas occasioned by authorized operations of the

Fish and Wildlife Service, and other improvements necessary for economical administration; for the purchase, capture, and transportation of game for national reservations; for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; not exceeding $7,500 for the repair, painting, and maintenance of dwellings and other buildings and facilities on the Chinsegut National Wildlife Refuge; and for carrying out the provisions of the Act approved August 5, 1947 (Public Law 361, Eightieth Congress), $1,312,500, and in addition thereto an amount equal to 75 per centum of the net proceeds received during the fiscal year 1948 under the provisions of section 401 of the Act of June 15, 1935 (16 U. S. C. 715S), which additional amount may be expended also for the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended.

61 Stat. 770.

49 Stat. 383. 16 U. S. C. § 715s.

40 Stat. 755. 16 U. S. C. §§ 703-711; Supp. I, § 704 note.

River basin studies: For investigations and studies to determine the effects on fish and wildlife resources of proposed developments of river basins of the United States (except the Missouri River Basin), and for the preparation of reports thereon in accordance with the Act of March 10, 1934 (16 U. S. C. 661–666), as amended, $150,000.

48 Stat. 401.

California wildlife management areas: For the purchase or rent, and development, maintenance, and administration of wildlife management areas in the State of California, as authorized by the Act of May 18, 1948 (Public Law 534), $250,000, to remain available until expended.

Ante, p. 238.

In all, salaries and expenses, $9,928,509.

MIGRATORY BIRD CONSERVATION FUND

For carrying into effect section 4 of the Act of March 16, 1934, as amended (16 U. S. C. 718–718h), an amount equal to the sum received during the fiscal year 1949 from the proceeds from the sale of stamps, to be warranted monthly and to remain available until expended.

48 Stat. 451. 16 U. S. C. § 718d.

FEDERAL AID IN WILDLIFE RESTORATION

For carrying out the provisions of the Act of September 2, 1937, as amended (16 U. S. C. 669–669j), an amount equal to the sum credited during the fiscal year 1948 to the special fund created by said Act: *Provided*, That not exceeding 35 per centum of the amount allocated to any State shall be available for the construction of buildings: *Provided further*, That the requirement of the Interior Department Appropriation Act, 1948, that not exceeding 20 per centum of the amount allocated to any State shall be available for the construction of improvements is hereby waived with respect to unobligated balances on June 30, 1948.

50 Stat. 917.

Limitation.

61 Stat. 488.

Total, Fish and Wildlife Service, $9,928,509, and in addition thereto, funds made available under the Migratory Bird Conservation Fund and the fund for Federal Aid in Wildlife Restoration, of which amounts not to exceed $1,123,000 may be expended for departmental personal services, including such services in the District of Columbia. Funds available for the work of the Fish and Wildlife Service shall be available for the purchase of not to exceed sixty-five passenger motor vehicles for replacement only; purchase (not to exceed three), hire (in Alaska), maintenance, and operation of aircraft; the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the Fish and Wildlife Service; providing by purchase, construction, or otherwise, facilities incident to such public recreational uses of wildlife refuges as are not inconsistent with the primary purposes of such refuges; newspapers (not to exceed $100), plans and specifications for vessels, or for contract personal services for the preparation thereof without regard to section 3709, Revised Statutes, as amended

Availability of funds.

(41 U. S. C. 5); and rations for officers and crews of vessels or, in lieu thereof, commutation of rations at not to exceed $2.00 per man per day; and for the expenditure from appropriations available for the purchase of lands of not to exceed $1 for each option to purchase any tract of land. Reimbursements for the cost of supplies and materials and the transportation and handling thereof issued from central warehouses authorized to be established by the Act of June 24, 1936 (16 U. S. C. 667), may be credited to the appropriation current at the time supplies and materials are allotted, assigned, or issued, or at the time such reimbursements are received. Not to exceed 5 per centum of the foregoing amounts for expenses of the Fish and Wildlife Service shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 per centum shall be added to any one item or appropriation. The Departments of the Air Force, Army, and Navy, the Coast Guard, the Civil Aeronautics Administration, and the War Assets Administration are authorized to transfer to the Fish and Wildlife Service aircraft for replacement purposes only (but not necessarily of the same size or type or at the same locations), and such other equipment, materials, and supplies (with an appraised value of not to exceed $500,000), surplus to the needs of such agencies, as may be required by said Service, such transfers to be without charge therefor; and in addition the Departments of the Army and Navy, the Coast Guard, and the Maritime Commission are authorized to transfer without charge therefor vessels for replacement purposes only (but not necessarily of the same size or type or at the same locations) marine engines, parts and accessories surplus to the needs of such agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended.

Reimbursements.

49 Stat. 1913.

Interchange of amounts.

Transfer of surplus property.

Vessels.

Veterans' priority.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

For necessary expenses of the offices of the Governor and the Secretary, including salaries of the Governor and Secretary; printing and binding; purchase of one passenger motor vehicle, for replacement only, at not to exceed $1,800; maintenance, repair, and preservation of Governor's house and grounds; $64,500, to be expended under the direction of the Governor.

Legislative expenses: For salaries of members of the legislature, $36,000; mileage of members, $12,000; in all, $48,000, to be expended under the direction of the Governor of Alaska.

For the establishment and maintenance of public schools, Territory of Alaska, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Public schools.

48 Stat. 1227.
31 U. S. C. § 725c.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, and temporary medical consultants, transportation, burial, and other expenses, $448,000: *Provided*, That authority is granted to the Secretary to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, for the care and maintenance of Alaskan insane patients during the fiscal year 1949: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence

Payments to Sanitarium Company, Portland, Oreg.

Return of inmates not residents of Alaska.

or to their friends, and the Secretary shall as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Construction of roads, bridges, etc.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, $100,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

For the construction, repair, and maintenance of roads, tramways, buildings, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a–321c), including surveys and plans for new road construction; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), for the preparation of plans and specifications for buildings; and printing and binding, $10,442,400, to remain available until expended: *Provided*, That in addition to the amount herein appropriated the Secretary or, at his request, the Commissioner of Public Roads, Federal Works Agency, is hereby authorized to incur obligations and enter into contracts for additional work, materials, and equipment not exceeding a total of $13,904,000: *Provided further*, That in the operation of the facilities of the Alaska Road Commission, the Departments of the Air Force, Army, and Navy, or any other agency of the United States having title thereto is authorized to transfer, regardless of present location and without charge to the Alaska Road Commission, materials, road and bridge, and other necessary equipment, spare parts, shop facilities and machinery, supplies and buildings surplus to its needs and which is deemed essential by the Department of the Interior for the construction, improvement, and maintenance of the Alaska road system: *Provided further*, That the authorization in this paragraph for transfer of surplus property to the Alaska Road Commission shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended.

47 Stat. 446.
48 U. S. C., Supp. I, § 321d.
60 Stat. 810.

Contract authority.

Transfer of surplus property.

Veterans' priority.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*

The Alaska Railroad: In addition to all amounts received by The Alaska Railroad during the fiscal year 1949, there is hereby appropriated $17,000,000 which amounts shall be available, and continue available until expended, for the payment of obligations incurred under the contract authorization in the Interior Department Appropriation Act, 1948 and for expenses necessary for the authorized work of The Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to The Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Act of September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed $12,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1949, and no one other than the general manager of said railroad, and one assistant general manager at not to exceed $10,000 per annum,

Ante, pp. 350, 1103.

61 Stat. 490.

Mount McKinley National Park.

39 Stat. 750.

Personal services; salary limitation.

shall be paid an annual salary out of this fund of more than $8,500: *Provided further*, That not to exceed $22,500 of such fund shall be available for printing and binding: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior is hereby authorized to incur obligations and enter into contracts for additional work, materials, and equipment not exceeding a total of $12,000,000: *Provided further*, That in the operation of the facilities of The Alaska Railroad, the Department of the Army or any other agency of the United States Government having title thereto is authorized to transfer regardless of present location and without charge to The Alaska Railroad, materials, roadway and bridge maintenance, and other necessary equipment, locomotives and spare parts, shop facilities and machinery, supplies, rolling stock, buildings, and docks, surplus to its needs and which may be certified by the Department of the Interior as necessary for the improvement, maintenance, or operation of The Alaska Railroad: *Provided further*, That the authorization in this paragraph for transfer of surplus property to The Alaska Railroad shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under the Surplus Property Act of 1944, as amended.

Printing and binding.
Contract authority.

Transfer of surplus property.

Veterans' priority.

58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*

The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: "Salaries and expenses, Governor and Secretary, Territory of Alaska"; "Construction and maintenance of roads, bridges, and trails, Alaska"; and "Alaska Railroad appropriated fund".

Ante, pp. 350, 1103.

TERRITORY OF HAWAII

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor, the Secretary $7,342, and the private secretary to the Governor, $4,996; for printing and binding; travel expenses of the Governor; and $935 for temporary clerk hire; $25,900, to be expended by the Governor.

Legislative expenses, Territory of Hawaii: For compensation and mileage of members of the Legislature of the Territory of Hawaii as provided by the Act of June 27, 1930, $47,200.

46 Stat. 824.
48 U. S. C. § 599.

GOVERNMENT OF THE VIRGIN ISLANDS

39 Stat. 1132.
49 Stat. 1813.

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), printing and binding; repair, preservation and care of Federal buildings and furniture, purchase of water, and other necessary miscellaneous expenses, purchase of not to exceed three passenger motor vehicles for replacement only, and not to exceed $6,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, $213,000, to be expended by and under the direction of the Governor.

Agricultural station.

For necessary expenses of the agricultural station in the Virgin Islands, $46,300, to be expended by and under the direction of the Governor.

Municipal governments: For expenses of the government of the Virgin Islands in excess of current local revenues for the fiscal year 1949, municipality of Saint Thomas and Saint John, $194,400, and municipality of Saint Croix, $325,800; in all, $520,200, to be paid to the respective municipal treasuries in monthly installments; and the said municipal governments are hereby authorized to make purchases for their hospitals, schools, and other public institutions, through the Bureau of Federal Supply of the Treasury Department.

Purchase of vehicles.

SEC. 2. Appropriations herein made shall be available for the purchase of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger motor vehicles.

Emergency employment of aliens.

SEC. 3. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1949 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Attendance at meetings.

SEC. 4. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, $850; Oil and Gas Division, $100; Board on Geographic Names, $150; Bureau of Land Management, $1,000; Bureau of Indian Affairs, $1,250; Bureau of Reclamation, $6,750; Geological Survey, $4,750; Bureau of Mines, $5,000; National Park Service, $1,250; Fish and Wildlife Service, $2,375; and soil and moisture conservation operations (all bureaus), $500.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Affidavit.

Penalty.

Emergency employment.

Jackson Hole National Monument.

SEC. 6. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

57 Stat. 731.

Lump-sum leave payments.

SEC. 7. Limitations on amounts to be expended for personal services under appropriations in this Act shall not apply to lump-sum leave

58 Stat. 845.

payments pursuant to the Act of December 21, 1944 (5 U. S. C. 61b–d).

Dues, etc.

SEC. 8. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

60 Stat. 903.

SEC. 9. Appropriations in this Act shall be available for health service programs as authorized by law (5 U. S. C. 150).

Employees engaged in personnel work.

SEC. 10. Not to exceed a total of $875,000 of the appropriations contained in this Act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training, and employee relations.

60 Stat. 843. *Ante*, p. 1008.

SEC. 11. Appropriations in this Act shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

Per diem rates.

SEC. 12. In purchasing lawbooks, books of reference, and periodicals, and in completing broken sets, the Secretary or his duly authorized representative may exchange similar items and apply the exchange allowances in such cases in whole or in part payment therefor.

60 Stat. 810.

SEC. 13. Where appropriations in this Act are available for expenditure for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), such expenditures shall be at rates not exceeding $35 per diem for individuals (unless a higher rate is otherwise authorized by law or unless a higher rate, not exceeding $50, shall be approved by the Director of the Bureau of the Budget).

TITLE II—SURPLUS APPROPRIATION RESCISSION

60 Stat. 367. 61 Stat. 476.

Sums totaling $560,197 for construction of the Havre-Shelby transmission line, Havre substation, Rudyard substation, Shelby substation, Milk River District, Fort Peck project, Montana, contained in the "Interior Department Appropriation Act, 1947", and the "Interior Department Appropriation Act, 1948", under the heading "Bureau of Reclamation", are hereby carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act.

Short title.

This Act may be cited as the "Interior Department Appropriation Act, 1949".

Approved June 29, 1948, 4:58 p. m., E. D. T.

[CHAPTER 755]

June 30, 1948
[S. J. Res. 37]
[Public Law 842]

JOINT RESOLUTION

Requesting the President to proclaim February 1 as National Freedom Day.

National Freedom Day.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to issue a proclamation designating the 1st day of February of each year as National Freedom Day for the purpose of commemorating the signing by President Abraham Lincoln, on February 1, 1865, of the joint resolution adopted by the Senate and the House of Representatives of the United States, proposing the thirteenth amendment to the Constitution of the United States of America.

13 Stat. 567.

Approved June 30, 1948.

[CHAPTER 756]

JOINT RESOLUTION

June 30, 1948
[S. J. Res. 117]
[Public Law 843]

Providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States.

International Labor Organization.
48 Stat. 1182.
22 U. S. C. §§ 271, 272.

Whereas the Senate and House of Representatives by Public Resolution Numbered 43 of the Seventy-third Congress authorized the President to accept membership for the Government of the United States of America in the International Labor Organization and the President, pursuant thereto, accepted such membership on August 20, 1934; and

Whereas such membership in the International Labor Organization has proved of benefit to the people of the United States; and

Whereas the International Labor Organization provides a unique international forum in which representatives of employers and workers join together with those of governments in formulating conventions and recommendations which serve as international minimum standards for labor and social legislation and administration within member countries; and

Whereas extensive revision of the constitution has been undertaken to enable the Organization to meet changed conditions, to strengthen the application of conventions and recommendations, with careful provision to meet the constitutional rules and practices of Federal States, and to operate as a specialized agency in relationship with the United Nations; and

Whereas the Constitution of the International Labor Organization Instrument of Amendment of 1946 was adopted unanimously on October 9, 1946, with the entire delegation of the United States to the Twenty-ninth Session of the International Labor Conference supporting this Instrument of Amendment: Therefore be it

Acceptance for U. S. of amendment to constitution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept for the Government of the United States of America the Constitution of the International Labor Organization Instrument of Amendment adopted by the Twenty-ninth Session of the International Labor Conference on October 9, 1946.

Appropriation authorized.
Ante, p. 309.

SEC. 2. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed $1,091,739 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, as apportioned by the International Labour Conference in accordance with article 13 (c) of the constitution of the Organization; and

(b) such additional sums, not to exceed $95,000 per annum, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative or representatives and alternates and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the

42 Stat. 1488.
5 U. S. C. §§ 661–674.

60 Stat. 810.
5 U. S. C. § 55a.

40 Stat. 1270.
41 U. S. C. § 5.

Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

60 Stat. 714.
22 U. S. C. § 287r.

Loyalty and security investigations.

SEC. 3. No person shall serve as representative, delegate, or alternate from the United States until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation.

Approved June 30, 1948.

[CHAPTER 757]

JOINT RESOLUTION

June 30, 1948
[S. J. Res. 206]
[Public Law 844]

Consenting to an interstate boundary compact by and between the States of Michigan, Minnesota, and Wisconsin

Interstate boundary compact.
Michigan, Minnesota, and Wisconsin.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the following interstate boundary compact by and between the State of Michigan, the State of Minnesota, and the State of Wisconsin:

A COMPACT

Entered into by and between the State of Michigan, the State of Minnesota, and the State of Wisconsin, states signatory hereto.

The contracting states solemnly agree:

Boundary between Mich. and Wis.

1. That the boundary between the State of Michigan and the State of Wisconsin in the center of Lake Michigan be and it hereby is finally fixed and established as the line marked A–B–C–D–E–F–G on the map, Exhibit A, annexed hereto, which line is more particularly described as follows:

Starting at Point A, a point equi-distant from either shore on the line which is the eastward continuation of the boundary line between Wisconsin and Illinois or latitude 42°29′37″ North;

Thence to Point B, a point equi-distant from either shore on the line drawn through the Port Washington Fog Signal and Storm Signal and the White Lake Storm Signal, on a true azimuth of 354°12′00″ a distance of 61.55 statute miles;

Thence to Point C, a point equi-distant from either shore on a line drawn through the Sheboygan Coast Guard Storm Signal, Fog Signal, Radio Beacon and Little Sable Point Light, on a true azimuth of 03°01′15″, a distance of 22.18 statute miles;

Thence to Point D, a point equi-distant from either shore on a line drawn through the Twin River Point Light and Fog Signal and Big Sable Fog and Light Signal, on a true azimuth of 10°04′30″, a distance of 30.33 statute miles;

Thence to Point E, a point equi-distant from either shore on a line from Bailey's Harbor Inland Light and Point Betsie Fog Signal, Radio Beacon, and Distance Finding Station, on a true azimuth of 17°09′55″, a distance of 54.20 statute miles;

Thence to Point F, a point equi-distant from either shore on a line drawn through the Pilot Island Light and Fog Signal and Sleeping Bear Point Light, on a true azimuth of 33°29′10″, a distance of 17.24 statute miles;

Thence to Point G, the point determined by the United States Supreme Court decree of March 12, 1936 which is a point 45,600

meters from the center of Rock Island Passage on a bearing of South 60° East, on a true azimuth of 49°34'10", a distance of 15.66 statute miles.

The latitude and longitude of the named control points is as follows:

Point A—Latitude 42°29'37"
Longitude 87°01'15"
Point B—Latitude 43°22'50"
Longitude 87°08'50"
Point C—Latitude 43°42'00"
Longitude 87°07'20"
Point D—Latitude 44°07'55"
Longitude 87°00'45"
Point E—Latitude 44°52'50"
Longitude 86°41'10"
Point F—Latitude 45°05'20"
Longitude 86°29'30"
Point G—Latitude 45°14'10"
Longitude 86°14'55"

Boundaries of Mich., Minn., and Wis.

2. That the western boundary of the State of Michigan in the waters of Lake Superior and the eastern boundary in the waters of Lake Superior of the State of Minnesota and Wisconsin be and it hereby is finally fixed and established as the line marked M–N on the map, Exhibit B, annexed hereto, which line is more particularly described as follows:

Starting at Point M, the point where the line through the middle of the main channel of the Montreal River enters Lake Superior.

Thence in a direct line to Point N, the point where a line drawn through the most easterly point of Pigeon Point and the most southerly point of Pine Point intersects the international boundary, on a true azimuth of 23°27'24" and a distance of 108.86 statute miles.

The latitude and longitude of the named control points is:

Point M—Latitude 46°34'05"
Longitude 90°25'05"
Point N—Latitude 48°00'50"
Longitude 89°29'00"

Boundary between Minn. and Wis.

3. That the boundary between the State of Minnesota and the State of Wisconsin in the center of Lake Superior be and it hereby is finally fixed and established as the line marked A–B–C–D on the map, Exhibit B, annexed hereto, which line is more particularly described as follows:

Starting at Point A which is the midpoint on the line M–N described in paragraph 2, supra;

Thence to Point B, the midpoint in a direct line between the mouth of Cross River, Minnesota, and the Lighthouse on Outer Island in Wisconsin, on a true azimuth of 272°17'10", a distance of 33.15 statute miles;

Thence to Point C, the midpoint in a direct line between the Lighthouse on shore at Two Harbors, Minnesota and the light on the lakeward end of the Government east pier at Port Wing, Wisconsin on a true azimuth of 235°27'40", a distance of 49.60 statute miles;

Thence to Point D, the midpoint in a direct line at right angles to the central axis of the Superior entry between the tops of the eastern ends of the pierheads at the lakeward ends of the United States Government breakwaters at the Superior entry to Duluth Superior Harbor, on a true azimuth of 239°50'20", a distance of 26.43 statute miles.

The latitude and longitude of the named control points is as follows:

Point A—Latitude 47°17'30"
Longitude 89°57'00"
Point B—Latitude 47°18'35"
Longitude 90°39'15"

Point C—Latitude 46°54′10″
Longitude 91°31′25″
Point D—Latitude 46°42′39.875″
Longitude 92°00′24.571″

4. All azimuths are measured clockwise from true north.

Effective date.

5. That this compact shall become operative immediately upon its ratification by any state as between it and the other state or states so ratifying. Ratification shall be made by act of the legislature of the ratifying state.

Ratification.

Joint Survey Commission.

6. That immediately upon ratification of this compact by all three states, each state will appoint two members to a Joint Survey Commission to survey and mark the boundaries defined in this compact by establishing and perpetuating monuments at the reference points on shore by means of which the control points of said boundaries are located. The expense of marking the Lake Michigan Boundary shall be borne jointly by the states of Michigan and Wisconsin; the expense of marking the boundary line described in paragraph 2 above shall be borne equally by the states of Minnesota, Michigan and Wisconsin. The expense of marking the Lake Superior boundary between Minnesota and Wisconsin shall be borne jointly by the states of Minnesota and Wisconsin.

Expenses.

STATE OF MICHIGAN

EXECUTIVE DEPARTMENT

IN WITNESS WHEREOF:

I, KIM SIGLER, Governor of the State of Michigan, by virtue of the power vested in me as such Governor, and pursuant to the provisions of Act No. 267, of the Public Acts of 1947, approved June 27, 1947, which ratifies paragraphs one, two, four, five and six of the foregoing compact, have hereunto set my hand for and on behalf of the State of Michigan and have caused to be affixed the Great Seal of the State of Michigan.

Done at the City of Lansing, in the State of Michigan, this 3rd day of February, in the year of Our Lord, one thousand, nine hundred and forty eight.

[SEAL]

(S) KIM SIGLER
(S) F. W. ALGERE,
Secretary of State.

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT

IN WITNESS WHEREOF:

I, LUTHER W. YOUNGDAHL, Governor of the State of Minnesota, by virtue of the power vested in me as such Governor and pursuant to the provisions of Chapter 589, Laws of Minnesota for the year 1947, approved April 26, 1947, which ratifies the foregoing compact, have hereunto set my hand for and on behalf of the State of Minnesota, and have caused to be affixed the Great Seal of the State of Minnesota.

Done at the City of St. Paul, in the State of Minnesota, this 30th day of December, in the year of Our Lord, one thousand, nine hundred and forty seven.

[SEAL]

(S) LUTHER W. YOUNGDAHL,
Governor.
(S) MIKE HOHN,
Secretary of State.

STATE OF WISCONSIN

EXECUTIVE DEPARTMENT

IN WITNESS WHEREOF:

I, OSCAR RENNEBOHM, Acting Governor of the State of Wisconsin, by virtue of the power vested in me as such Acting Governor, and pursuant to the provisions of Chapter 222, Laws of Wisconsin for the year 1947, approved June 12, 1947, which ratifies the foregoing compact, have hereunto set my hand for and on behalf of the State of Wisconsin and have caused to be affixed the Great Seal of the State of Wisconsin.

Done at the City of Madison in the State of Wisconsin, this 22nd day of December, in the year of Our Lord, one thousand, nine hundred and forty seven.

[SEAL]

(S) OSCAR RENNEBOHM,
Acting Governor.

(S) ROBERT C. ZIMMERMAN,
(Asst.) Secretary of State.

SEC. 2. Nothing herein contained shall be construed to impair or in any manner affect any right of the United States. Rights of U. S.

Approved June 30, 1948.

[CHAPTER 758]

AN ACT

June 30, 1948
[S. 418]
[Public Law 845]

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water pollution control vested in them respectively by this Act. Water Pollution Control Act. Policy of Congress.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof and improving the sanitary condition of surface and underground waters. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any Development of programs. Joint investigations.

such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

Cooperation with States.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research, and experiments relating to water pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies; and furnish such assistance to State agencies as may be authorized by law.

Interstate compacts.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

Approval by Congress.

Declaration of pollution as a public nuisance.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

Notification of pollution.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

Action upon failure to secure abatement.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency

Hearing.

or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

Suit by U. S. for abatement.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

Defendant.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

Judicial district of case.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

Jurisdiction of court.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this Act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this Act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this Act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

Jurisdiction of Surgeon General, etc.

"Person."

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

Investigations, etc., on specific problems.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

Reports and recommendations.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this Act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

Loans for treatment works.
Post, p. 1160.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding 33⅓ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding $250,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 per centum per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

Limitations.

Review of reports, loan applications, etc.

SEC. 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this Act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this Act and all applications for loans under section 5. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

Supra.

Water Pollution Control Advisory Board.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of the Army, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may

determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

Appropriation authorized for loans.

SEC. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of $22,500,000 for the purpose of making loans under section 5 of this Act. Sums so appropriated shall remain available until expended.

Appropriation authorized for allotments to States.

SEC. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of $1,000,000, to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

Appropriation authorized for construction at Cincinnati, Ohio.
Ante, p. 1032.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed $800,000 to enable the Federal Works Administrator to erect and to furnish and to equip such buildings and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of water pollution and the training of personnel in work related to the control of water pollution. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

Plans and specifications.

Appropriation authorized for grants to States.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of $1,000,000 to enable the Federal Works Administrator to make grants to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) $20,000, or (2) 33⅓ per centum of the

estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.

Appropriations authorized for functions. *Ante*, p. 1032.

(d) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of $2,000,000) as may be necessary to enable it to carry out its functions under this Act.

(e) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of $500,000) as may be necessary to enable it to carry out its functions under this Act.

Appointment of officers.

SEC. 9. (a) Five officers may be appointed to grades in the Regular Corps of the Public Health Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b).

Ante, p. 40.

Detail of employees.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

Transfer of funds.

(c) (1) Upon written request of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

Ante, p. 1158.

Priority for projects.

Sale of bonds, etc.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this Act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

Regulations.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this Act.

SEC. 10. When used in this Act—

"State water pollution agency."

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters; "Interstate agency."

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof; "Treatment works."

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands; "State."

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and "Interstate waters."

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. "Municipality."

SEC. 11. This Act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes", approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

43 Stat. 604.
33 U. S. C. §§ 431–437.

30 Stat. 1152.
33 U. S. C. §§ 407–409, 411–413.

SEC. 12. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby. Separability.

SEC. 13. This Act may be cited as the "Water Pollution Control Act". Short title.

Approved June 30, 1948.

[CHAPTER 759]

AN ACT

To confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation.

June 30, 1948
[S. 1820]
[Public Law 846]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation in that State to the same extent as its courts have jurisdiction generally over offenses committed within said State outside of any Indian reservation: *Provided, however*, That nothing herein contained shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians on Indian reservations.

Sac and Fox Indian Reservation.
Jurisdiction over offenses.

Approved June 30, 1948.

[CHAPTER 760]

AN ACT

Validating certain conveyances of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company and waiving, relinquishing, and disclaiming all title and all right of reverter and forfeiture of the United States of America to the lands described in said conveyances.

June 30, 1948
[S. 2371]
[Public Law 847]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that certain

Oregon Short Line Railroad Co. and Union Pacific Railroad Co.

Validation of conveyances.

conveyance made by Oregon Short Line Railroad Company, a corporation of Utah, to the Colorado Milling and Elevator Company, a corporation of Colorado, dated September 30, 1927, and recorded April 25, 1932, at 9:02 antemeridian in book 68 of deeds at page 42, records of Bannock County, Idaho, and covering the following-described land located in Bannock County, Idaho, to wit: A tract of land one hundred feet wide and one hundred and forty feet long in northeast quarter of southwest quarter of section 26, township 6 south, range 34 east, of Boise meridian, and more particularly described as follows: Beginning at the present northeasterly corner of right-of-way of Oregon Short Line Railroad Company opposite and west of block 329 of townsite of Pocatello, said corner bearing south thirty-three degrees forty-two minutes twenty seconds east three thousand four hundred and sixty-one and three-tenths feet from northwest corner of said section 26; thence south eight degrees forty-one minutes east along present easterly right-of-way boundary of said railroad company, one hundred and forty feet; thence south eighty-one degrees nineteen minutes west one hundred feet; thence north eight degrees forty-one minutes west one hundred and forty feet to point in the present northerly right-of-way boundary of said railroad company; thence north eighty-one degrees nineteen minutes east along said northerly right-of-way boundary one hundred feet to point of beginning, and containing in all thirty-two one-hundredths of an acre, more or less; and that certain conveyance made by the Union Pacific Railroad Company, a corporation of Utah, to the Colorado Milling and Elevator Company, a corporation of Colorado, dated April 28, 1941, and recorded May 29, 1941, at 2:14 postmeridian in book 84 of deeds at page 183, records of Bannock County, Idaho, and covering the following-described land located in Bannock County, Idaho, to wit: A tract of land one hundred feet wide and one hundred and forty feet long in northeast quarter of southwest quarter of section 26, township 6 south, range 34 east, of Boise meridian and more particularly described as follows: Beginning at the present northeasterly corner of right-of-way of Oregon Short Line Railroad Company opposite and west of block 329 of townsite of Pocatello, the said corner being southeasterly corner of that certain tract of land conveyed by Oregon Short Line Railroad Company to the Colorado Milling and Elevator Company by quit claim deed dated September 30, 1927, and recorded April 25, 1932, in book 68 at page 42 of deeds, records of Bannock County; thence south eight degrees forty-one minutes east along said right-of-way boundary one hundred and forty feet; thence south eighty-one degrees nineteen minutes west one hundred feet; thence north eight degrees forty-one minutes west one hundred and forty feet; thence north eighty-one degrees nineteen minutes east one hundred feet to point of beginning, and containing thirty-two one-hundredths of an acre, more or less; which said lands heretofore formed part of the right-of-way, station grounds, and yards of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company granted by the United States of America to the Utah and Northern Railway Company, predecessor of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company, by Act of Congress dated September 1, 1888, or by any other Act of Congress, are hereby legalized, validated, and confirmed and all title and all rights of reverter or forfeiture of the United States of America in or to the lands described in said conveyances, as provided in the Act of September 1, 1888 (25 Statutes 452), or otherwise, is hereby waived, relinquished, and disclaimed.

25 Stat. 452.

Approved June 30, 1948.

[CHAPTER 761]

AN ACT

June 30, 1948
[S. 2510]
[Public Law 848]

To provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Acts of April 21, 1902; May 27, 1908; and June 19, 1922 (39 U. S. C. 423), relating to contracts for transmission of mail by pneumatic tubes in New York, New York, including the borough of Brooklyn, are hereby amended to provide that the annual rental contract payment rate for the use of the twenty-six and nine hundred and sixty-nine thousandths miles of double-line pneumatic-tube facilities shall not exceed $12,000 per mile: *Provided, however*, That the rate shall be inclusive of maintenance expenses but shall be exclusive of all operating expenses.

Post Office Department.
Pneumatic tube system.
32 Stat. 114; 35 Stat. 412; 42 Stat. 661.

Approved June 30, 1948.

[CHAPTER 762]

AN ACT

June 30, 1948
[S. 2692]
[Public Law 849]

To terminate the retirement system of the Office of the Comptroller of the Currency, and to transfer that retirement fund to the Civil Service Retirement and Disability Fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence after the first proviso of the second paragraph of section 5240 of the Revised Statutes, as amended (U. S. C., 1946 edition, title 12, sec. 481), is amended by deleting the comma after the words "whose compensation" and striking out the words "including retirement annuities to be fixed by the Comptroller of the Currency" and deleting the comma following those words.

Office of Comptroller of Currency.
Transfer of retirement fund.

SEC. 2. (a) The United States Civil Service Commission is hereby authorized and directed to ascertain the amount of the gross assets in the retirement fund of the Office of the Comptroller of the Currency, and the Comptroller of the Currency is authorized and directed to cause to be transferred all such assets to the Secretary of the Treasury to be entered on the books of the Treasury Department to the credit of the Civil Service Retirement and Disability Fund.

Transfer of assets.

(b) In the case of each officer or employee who is a member of the retirement system of the Office of the Comptroller of the Currency, the United States Civil Service Commission shall cause to be credited to his individual account in the Civil Service Retirement and Disability Fund an amount equal to such employee's accumulated contributions and interest standing to his credit on the books of the retirement system of the Office of the Comptroller of the Currency at the time of its termination: *Provided*, That in the event that such amount is in excess of the amount which would have been to his credit had he made the contributions required for allowable service under the Civil Service Retirement Act of May 22, 1920, as amended, currently during the same period of time for which he has creditable service under the rules and regulations of the retirement system of the Office of the Comptroller of the Currency, plus interest thereon, such excess amount shall be applied to any other deposits or redeposits required of such employee under sections 7, 9, and 12 of the Civil Service Retirement Act of May 29, 1930, as amended, covering periods of allowable service for which said employee did not have creditable service under the rules

Credit in individual account.

Excess amounts.

41 Stat. 614.
5 U. S. C. §§ 691–694, 697–731; Supp. I, § 691 *et seq.*

Ante, pp. 52, 53, 54.

and regulations of the retirement system of the Office of the Comptroller of the Currency, or, if he has no such additional allowable service, the excess shall be repaid to such employee in cash: *Provided further*, That no part of said sum credited to such employee's individual account shall be applied to any period of allowable service prior to August 1, 1920, or to periods of honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, for which periods no deposit shall be required, as provided by section 9 of the Act of May 29, 1930, as amended; nor shall deposits be required for any periods of time prior to June 1, 1936, for which such employee has creditable service under the rules and regulations of the retirement system of the Office of the Comptroller of the Currency, in excess of the amount of such employee's accumulated contributions plus interest standing to his credit on the books of the retirement system of the Officer of the Comptroller of the Currency at the date of its termination.

Exemptions from deposit requirements.

Ante, p. 53.

Retirement prior to this act, annuity.

SEC. 3. (a) In the case of an officer or employee who, prior to the effective date of this Act, shall have been retired on annuity under the rules and regulations of the retirement system of the Comptroller's Office, the annuity shall be paid out of the Civil Service Retirement and Disability Fund and shall be increased effective on the first day of the third month following the month in which this Act is enacted by 25 per centum or $300, whichever is the lesser: *Provided*, That each such annuitant may, prior to the effective date herein prescribed, elect to retain his or her present annuity in lieu of the increased annuity provided by this subsection and name his wife or her husband to receive upon his or her death one-half of his or her present annuity but not to exceed $600 per annum during the remainder of the life of such surviving wife or husband and upon the death of such survivor no further annuity shall be due or payable: *Provided further*, That the amount payable in the event of the death of the annuitant either to his nominated beneficiary or estate, in the form of a lump-sum payment or survivor's annuity, shall not be less than the amounts which would have been payable under the applicable rules and regulations of the retirement system of the Comptroller's Office.

Payment of certain deferred annuities.

(b) In the case of any officer or employee who was a member of the retirement system of the Comptroller's Office and who, prior to the effective date of this Act, terminated his employment with that Office and elected to receive a deferred annuity at age sixty-five, under the applicable rules and regulations of the retirement system of that Office, such annuity shall be payable out of the Civil Service Retirement and Disability Fund beginning at the age of sixty-two years. Otherwise his rights shall be determined and the annuity computed as though this Act had not been enacted.

Withdrawal of contributions.

SEC. 4. In the case of any officer or employee or former officer or employee of the Office of the Comptroller of the Currency who withdrew his accumulated contributions from the retirement fund of that Office upon leaving its employ, said officer or employee or former officer or employee of such Office shall be entitled to the same allowable service under the Civil Service Retirement Act of May 29, 1930, as amended, to which he would have been entitled if he had never been a member of the retirement system of the Comptroller's Office, subject, however, to the payment of the deposits required under said Act of May 29, 1930, as amended.

46 Stat. 468.
5 U. S. C. § 691 *et seq.*; Supp. I, § 691 *et seq.*
Ante, p. 48.

Effective date.

SEC. 5. This Act shall become effective on the first day of the first pay period which begins at least thirty days after the date of its enactment.

Approved June 30, 1948.

[CHAPTER 763]

AN ACT

June 30, 1948
[S. 2730]
[Public Law 850]

To include as allowable service under the Act of July 6, 1945, service performed in the military forces and on war transfer by employees in the field service of the Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 25 of the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (U. S. C., 1946 edition, title 39, sec. 875), is hereby amended to read as follows:

Post Office Department.

59 Stat. 461.

Allowable service.

"SEC. 25. Allowable service under the provisions of this Act shall be only such continuous active service as has been rendered and shall not include previous periods or terms of employment, except that in the case of employees who have been separated or shall hereafter be separated from the field service of the Post Office Department for military duty, or to comply with a war transfer as defined by the Civil Service Commission, the periods or terms of such service immediately preceding entry into military service or immediately preceding such transfer, as well as the time engaged in military service and service on war transfer, shall be construed as allowable service, and pro rata credit shall be given for the time engaged in military service and service on war transfer for each year of such service."

Relief of liability.

SEC. 2. Any person who prior to the enactment of this Act received any amounts the payment of which is authorized for the first time by this Act is hereby relieved of all liability to refund such amounts to the United States; and in the audit and settlement of the accounts of any postmaster, or of any other designated disbursing officer of the Post Office Department or postal service, the payment of such amounts shall be considered to have been authorized. The Postmaster General is hereby authorized and directed to repay, out of any funds hereafter appropriated pursuant to the authority of this Act, any amounts heretofore credited to the employee or refunded by him to the United States on account of such receipt by him of unauthorized payments.

Repayment of refunds.

Appropriation authorized.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Effective date.

Supra.

SEC. 4. The amendment made by the first section of this Act to section 25 of the Act of July 6, 1945, shall take effect as of July 1, 1945.

Approved June 30, 1948.

[CHAPTER 764]

AN ACT

June 30, 1948
[H. R. 2096]
[Public Law 851]

To amend section 11 of the Act approved June 5, 1942 (56 Stat. 317), relating to Mammoth Cave National Park in the State of Kentucky, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 11 of the Act approved June 5, 1942 (56 Stat. 317, 319; 16 U. S. C. sec. 404c–11), is hereby amended to read as follows:

Mammoth Cave National Park, Ky.

Appropriation authorized.

"In order to provide for acquisition of property on behalf of the United States, in accordance with the provisions of this section, there is hereby authorized to be appropriated the sum of not to exceed $350,000. Any of the funds appropriated pursuant to the provisions hereof which are not needed to acquire property as authorized by this section may, in the discretion of the Secretary of the Interior, be used to acquire lands and interests in lands required for the development of

Acquisition of lands.

56 Stat. 320.
16 U. S. C. § 404c–12.

a proper and suitable entrance road to Mammoth Cave National Park, as authorized in section 12 of this Act. The funds heretofore deposited in the Treasury under special fund receipt account 146664 shall, upon the passage of this Act, be transferred to the general fund of the Treasury as miscellaneous receipts: *Provided*, That no part of this authorization shall be used for road development or construction until after all the lands within the maximum boundaries, as authorized by the Act of May 25, 1926 (44 Stat. 635), have been acquired by purchase, condemnation or otherwise."

Restriction.

16 U. S. C. §§ 404–404c.

Approved June 30, 1948.

[CHAPTER 765]

AN ACT

June 30, 1948
[H. R. 2878]
[Public Law 852]

To amend the Act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein.

Indians of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 18, 1928 (45 Stat. 602), as amended by the Act of April 29, 1930 (46 Stat. 259), be, and the same is hereby, amended as follows:

Revision of roll.

"SEC. 7. That the Secretary of the Interior, under such rules and regulations as he may prescribe, is hereby authorized and directed to revise the roll of the Indians of California, made by him in accordance with the provisions of the Act of May 18, 1928 (45 Stat. 602), as amended, by removing from said roll the names of persons who have died since May 18, 1928, and by adding the names of children, and their descendants, now living, born since May 18, 1928, to enrollees qualified under section 1 of the Act of May 18, 1928, whose names appear on said roll. The Indians of California in each community may elect a committee of three enrollees who may aid the enrolling agent in any matters relating to the revision of said roll. Any person claiming to be entitled to enrollment may, within one year after the approval of this Act, as herein amended, make an application in writing to the Secretary of the Interior for enrollment. After the expiration of such period of time, the Secretary of the Interior shall have one year to approve and promulgate such revised roll, after which the roll shall be closed and thereafter no additional names shall be added thereto: *Provided*, That the Secretary of the Interior shall prepare and distribute to the Indians of California not less than three thousand copies of an alphabetical printed list, consisting of the name of each Indian on the roll approved May 17, 1933, giving name, address, age at time of enrollment, and such other factual information, if any, as the Secretary may deem advisable as tending to identify each enrollee."

Application for enrollment.

Distribution of list.

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any funds in the Treasury of the United States to the credit of the Indians of California, the sum of $25,000 to remain available until expended, to be used to defray the expenses incurred by the Secretary of the Interior in revising the roll, as provided herein.

Approved June 30, 1948.

[CHAPTER 766]

AN ACT

June 30, 1948
[H. R. 4856]
[Public Law 853]

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

Liquidation of mineral interests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, no mineral interests reserved to the

United States which are required to be liquidated under the terms of the Farmers' Home Administration Act of 1946 shall be sold by the Secretary of Agriculture or transferred by him to appropriate agencies of the United States for disposition as surplus property of the United States until hereafter authorized by law. Nothing contained in this Act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers' Home Administration Act of 1946.

60 Stat. 1062. 7 U. S. C. § 1001 note; Supp. I, § 1001 *et seq.*

60 Stat. 1080. 7 U. S. C. § 1031.

Approved June 30, 1948.

[CHAPTER 767]

AN ACT

To promote the interests of the Fort Hall Indian Irrigation project, Idaho, and for other purposes.

June 30, 1948
[H. R. 5416]
[Public Law 854]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those provisions of the order of the Secretary of the Interior, dated February 6, 1948, which are based on certain recommendations contained in the Report on Conditions Found to Exist on the Fort Hall Irrigation Project and the Fort Hall Indian Reservation, Idaho, dated February 26, 1941, and which are described in the said order as made pursuant to the authority contained in the Act of June 22, 1936 (49 Stat. 1803), are hereby approved pursuant to the provisions of such Act.

Fort Hall Indian Irrigation project, Idaho.

25 U. S. C. §§ 389-389e; Supp. I, § 389 note.

SEC. 2. During such periods as water for the Fort Hall Indian irrigation project may be available in excess of the present duty of three acre-feet per acre per annum, the Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to permit the delivery of such excess water equally to the project lands in an amount not to exceed five-tenths acre-feet per acre per annum, in addition to the present duty of three acre-feet per acre per annum: *Provided, however*, That any surplus water temporarily available in addition to the three and five-tenths acre-feet per acre per annum may be furnished for use on project lands on terms, conditions, and rates to be prescribed by the Secretary of the Interior.

Delivery of excess water.

SEC. 3. The Little Indian Unit containing one thousand one hundred eighty-six and thirty-three one-hundredths acres of irrigable land in townships 2 and 3 south, ranges 36 and 37 east, Boise meridian, within the boundaries of the Fort Hall Indian Reservation, is hereby made a part of the Fort Hall Indian Irrigation project and the lands therein shall have the benefit of, and be subject to, all existing legislation applicable to said project to the same extent as other lands of like ownership and character within the project. The Indian-owned irrigable land in the unit shall be charged with its proper proportionate share of the project rehabilitation and improvement costs of $15.10 and not to exceed $7.50 per acre, respectively, as these costs are defined in the report referred to in section 1 of this Act. The non-Indian-owned irrigable land of the unit shall be entitled to receive only natural-flow water until a full project water right is acquired for said land through the execution by the owner of a contract, or contracts, providing for the repayment to the United States of like per-acre costs as are charged against the Indian-owned land in the unit. Said charges, as to Indian and non-Indian lands, shall be a first lien against the lands, under the Act of March 7, 1928 (45 Stat. 200, 210).

Little Indian Unit.

Indian-owned irrigable land.

Non-Indian-owned irrigable land.

25 U. S. C. § 387 note.

SEC. 4. The net irrigable area of the Fort Hall Indian irrigation project is hereby established as forty-seven thousand and forty-four and sixty-three one-hundredths acres of land, more or less. This area includes the forty-six thousand eight hundred and three and seventy-two one-hundredths acres of land, more or less, shown as the irrigable area of the project by the maps and plats in the report referred to in

Net irrigable area.

section 1 of this Act, and the two hundred and forty and ninety-one one-hundredths acres, more or less, included in eight additional tracts of land described as follows: (a) An irregular shaped area in the northeast corner of the east half southwest quarter southeast quarter of section 36, township 5 south, range 33 east, Boise meridian, containing one and seventy one-hundredths acres; (b) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the west half of section 35, township 5 south, range 34 east, Boise meridian, containing twenty-eight and seventeen one-hundredths acres; (c) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the south half of section 14, township 6 south, range 34 east, Boise meridian, containing forty acres; (d) a portion of the northwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing thirty-three and forty-two one-hundredths acres; (e) Fairview Park in the east half southwest quarter southwest quarter northeast quarter and west half southeast quarter southwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing ten acres; (f) the east half northeast quarter northwest quarter of section 23, township 6 south, range 34 east, Boise meridian, containing twenty acres; (g) an irregular shaped area lying along the east side of the Pocatello lateral in section 23, township 6 south, range 34 east, Boise meridian, containing ninety-seven and sixty-two one-hundredths acres; and (h) the southwest quarter southwest quarter southwest quarter of section 24, township 6 south, range 34 east, Boise meridian, containing ten acres. The above-described tracts of land, together with such lands in the portion of the village of Alameda lying between the Pocatello lateral and the Oregon Short Line Railroad right-of-way in section 23, township 6 south, range 34 east, Boise meridian, as (notwithstanding their inclusion in the irrigable acreage shown by the maps and plats hereinabove mentioned) have no water right at present, shall be entitled to receive, or to continue to receive, water through pumping operations or by gravity flow, provided the respective owners thereof, within five years from the date of the enactment of this Act, enter into contracts whereby they agree (1) to pay their proper proportionate share of the project construction costs of $18.12 per acre, as these costs are defined in the report referred to in section 1 of this Act, for such of their lands as do not now have a project water right, (2) to pay their proper proportionate share of the project rehabilitation and improvement costs of $15.10 and not to exceed $7.50 per acre, respectively, for such of their lands as are not now covered by contracts for the repayment of such costs, and (3) to install, maintain, and operate, at their own expense, pumping machinery to lift the water from the project canals or laterals for the irrigation of such of their lands as cannot be supplied by gravity flow. The noninclusion of the Fort Hall town site within the net irrigable area of the project as hereby established shall not prevent the obtaining of water rights therefor in accordance with the Act of March 1, 1907 (34 Stat. 1015, 1025).

Contracts.

Fort Hall town site.

Exclusion of certain lands from project.

SEC. 5. There is excluded from the Fort Hall Indian Irrigation project by the designation of the project area in section 4 of this Act the nine thousand six hundred and seventy acres of tribal, allotted, and non-Indian-owned lands located between Fort Hall and Gibson, Idaho, heretofore authorized to be included in the project by the Act of March 3, 1927 (Ch. 371, 44 Stat. 1398). The construction costs apportioned to the tribal lands so excluded are hereby canceled and the water rights are made available for project use. The water rights for the lands of the several allottees and non-Indian owners within the area so excluded shall not be impaired or affected

Cancellation of construction costs.

Water rights.

by reason of such exclusion, but water shall be delivered only at the head of the laterals serving these lands. The respective owners of such lands may make their water rights available for project use, whereupon the construction costs assessed or assessable against their lands with respect to the water rights thus made available shall be canceled by the Secretary of the Interior. Allottees of lands within the excluded area, or their heirs or devisees, may donate or sell their lands to the tribe or may exchange their lands for assignments of tribal lands within the project area. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, $8,000, or so much thereof as may be necessary, for the purchase by the Secretary of the Interior, in the name of the United States of America in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation, of one hundred and eighty acres of non-Indian-owned land, with water rights and improvements appurtenant thereto, described as the north half southeast quarter southwest quarter section 13, township 4 south, range 34 east, Boise meridian, and south half northeast quarter and north half southeast quarter section 7, township 4 south, range 35 east, Boise meridian, located within the area excluded from the Fort Hall Indian Irrigation project by section 4 of this Act.

Exchange of land by allottees.

Appropriation authorized.

Ante, p. 1167.

SEC. 6. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $3,995 to compensate the following-named landowners, or their heirs, for work accomplished or for future work necessary in filling, leveling, and otherwise preparing for irrigation the abandoned portion of the old Fort Hall Main Canal within their holdings, in not to exceed the following amounts: Frank E. DeKay, $401; Henry Jensen, $633; Theodore H. Gathe, $654; A. E. Albert, $106; Ezra D. Wilson, $127; J. M. Bistline, $378; Ambrose H. McGuire, $424; Ellen Griffith, $412; C. M. Allen, $116; Olive A. Granden, $184; William Webster, $28; Hiram Faulkner, $114; Williamette Blakeslee, $298; Frank Parker, $99; and Henrietta C. Blakeslee, $21.

Appropriation authorized.

SEC. 7. Pending the construction of a siphon to provide gravity flow water to ninety-six and six-tenths acres of irrigable lands in the southwest quarter section 27, and east half section 28, township 5 south, range 34 east, Boise meridian, Idaho, which lands have been irrigated by pumping operations over a period of years, the Secretary of the Interior may accept the conveyance by the landowners of the pumping equipment for use of the Fort Hall Indian Irrigation project and may operate such equipment as a part of said project in order to provide water for the irrigation of such lands; the acceptance of such conveyance being subject to the owners of the lands executing releases to the United States of any and all claims whatsoever due to the pumping operations carried on by such landowners.

Conveyance of pumping equipment.

SEC. 8. The Secretary of the Interior is authorized, in his discretion, to revise and reform, upon such terms and conditions as he may determine to be fair and equitable in all the circumstances affecting the interests of the United States and the contractors, existing contracts between the United States and the Idaho Irrigation District, the Progressive Irrigation District, and the Snake River Valley Irrigation District in Idaho, which contracts provide for certain payments by the districts to the United States for the benefit of works of the Fort Hall Indian Irrigation project.

Revision of existing contracts.

SEC. 9. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for refunds to Indians, or their heirs, the sum of $1,419.55, representing irrigation assessments of the Fort Hall Indian irrigation project

Appropriation authorized.

erroneously made and collected, as follows: Andrew F. Cutler, $153.80; Alice Sorrell Johns, $168.95; Nettie Stinson LaVatta, $146.62; Earl Edmund Cutler, $159.20; Charles Faulkner, $145.25; Josephine LaVatta Rumas, $155.20; May Phyllis LaVatta Brower, $29.90; Leonard I. Cutler, $135.85; Effie Diggie Houtz, $122.75; Lucy Yandell Spencer, $25; Charles Gerard Cutler, $121.53; and Hattie Sorrell Siler Tillotson, $55.50.

Appropriation authorized.

SEC. 10. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary for the relocating, rehabilitating, cleaning, and extending of irrigation systems serving the lands irrigated from Ross Fork, Bannock, and Lincoln Creeks, which lands are outside of the Fort Hall Indian irrigation project, including the construction of a storage reservoir on Bannock Creek. The costs of any work benefiting Indian lands performed pursuant to this authorization shall be apportioned on a per acre basis and collected under laws applicable to Indian irrigable lands on the Fort Hall Indian irrigation project. Operation and maintenance charges against such lands shall likewise be subject to the same laws, rules, and regulations as apply to Indian lands on the Fort Hall project. Any unpaid charges against such lands shall be subject to a first lien as provided in the Act of March 7, 1928 (45 Stat. 200, 210). No expenditure shall be made under this authorization which will benefit lands in non-Indian ownership unless the owners thereof execute contracts providing for the repayment of their proportionate per acre share of the costs of the work assessable against their lands.

Liquidation of delinquent assessments.

SEC. 11. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian-owned lands of the Fort Hall Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served thereby.

SEC. 12. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved June 30, 1948.

[CHAPTER 768]

AN ACT

June 30, 1948
[H. R. 5904]
[Public Law 855]

To continue the Virgin Islands Company as an agency of the United States.

Virgin Islands Co.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Virgin Islands Company shall continue as an agency of the United States until the close of business June 30, 1949. It is authorized to borrow from the Treasury of the United States, and the Secretary of the Treasury shall loan to it upon the request of its president, such sums as may be required to carry out its operations until such date, not exceeding in the aggregate $950,000. Each loan shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of the loan.

Loan authorized.
Post, p. 1193.

Approved June 30, 1948.

[CHAPTER 769]

AN ACT

June 30, 1948
[H. R. 6090]
[Public Law 856]

Authorizing the Secretary of the Interior to issue patents for lands held under color of title.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if within five years after passage of this Act it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land in Monroe County in the State of Michigan, not exceeding in the aggregate one hundred and sixty acres, has or have been held in good faith and in peaceable, adverse possession by a citizen of the United States, his ancestors or grantors, for more than twenty years prior to the approval of this Act under claim or color of title, and that improvements have been placed on such land or some part thereof has been reduced to cultivation, the Secretary shall, upon the payment of $1.25 per acre, cause a patent or patents to issue for such land to any such citizen: *Provided*, That the term "citizen", as used herein, shall be held to include a corporation organized under the laws of the United States or any State or Territory thereof.

Monroe County, Mich.
Land patents.

"Citizen."

Approved June 30, 1948.

[CHAPTER 770]

AN ACT

June 30, 1948
[H. R. 6162]
[Public Law 857]

To make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3150 (a) of the Internal Revenue Code (imposing a tax on fermented liquors) is amended to read as follows: "There shall be levied and collected on all beer, lager beer, ale, porter, and other similar fermented liquor, containing one-half of 1 per centum, or more, of alcohol brewed or manufactured and sold, or removed for consumption or sale, within the United States, or imported into the United States, by whatever name such liquors may be called, a tax of $7 for every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law".

53 Stat. 365.
26 U. S. C. § 3150 (a).

SEC. 2. That section 3150 (a) of the Internal Revenue Code is further amended by inserting between the first and second sentences thereof the following sentence: "Imported fermented malt liquors shall, during the continuance of the war-tax rate on fermented malt liquors prescribed in section 1650, be subject to tax at such rate in lieu of the rate hereinbefore prescribed".

53 Stat. 365.
26 U. S. C. § 3150 (a).

54 Stat. 522.
26 U. S. C. § 1650; Supp. I, § 1650.

SEC. 3. The amendment made by this Act shall take effect on the first day of the first month which begins at least ten days after the date of the enactment of this Act.

Effective date.

Approved June 30, 1948.

[CHAPTER 771]

AN ACT

June 30, 1948
[H. R. 6419]
[Public Law 858]

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

River and Harbor Act of 1948.

TITLE I—RIVERS AND HARBORS

SEC. 101. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided*, That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public, Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full:

59 Stat. 10.

Maine.

Beals Harbor, Maine; House Document Numbered 553, Eightieth Congress;

Cape Porpoise Harbor, Maine; House Document Numbered 555, Eightieth Congress;

Massachusetts.

Channel from Buzzards Bay to Buttermilk Bay, Massachusetts; House Document Numbered 552, Eightieth Congress;

Falmouth Harbor, Massachusetts; House Document Numbered 566, Eightieth Congress;

Provincetown Harbor, Massachusetts; House Document Numbered 600, Eightieth Congress;

Taunton River, Massachusetts; House Document Numbered 196, Eightieth Congress;

Rhode Island.

Harbor of refuge at Point Judith, Rhode Island; Senate Document Numbered 15, Eightieth Congress;

Connecticut.

Westcott Cove, Connecticut; House Document Numbered 379 Eightieth Congress;

Greenwich Harbor, Connecticut; House Document Numbered 272, Eightieth Congress;

Maryland.

Rock Hall Harbor, Maryland; House Document Numbered 273, Eightieth Congress;

Chester River, Maryland (channel from Kent Island Narrows to Wells Cove); House Document Numbered 380, Eightieth Congress;

Cambridge Harbor, Maryland; House Document Numbered 381, Eightieth Congress;

Honga River and Tar Bay, Maryland; House Document Numbered 580, Eightieth Congress;

Virginia.

Bransons Cove, Lower Machodoc River, Virginia; House Document Numbered 420, Eightieth Congress;

Deep Creek, Warwick County, Virginia; House Document Numbered 601, Eightieth Congress;

Norfolk Harbor, Southern Branch of Elizabeth River, Virginia; House Document Numbered 545, Eightieth Congress;

North Carolina.

Stumpy Point Bay, North Carolina; House Document Numbered 422, Eightieth Congress;

Inland Waterway, Beaufort to Cape Fear River, North Carolina, including waterway to Jacksonville, North Carolina; House Document Numbered 421, Eightieth Congress;

South Carolina.

Winyah Bay, South Carolina; in accordance with the report on file in the Office of the Chief of Engineers.

Florida.

Saint Andrew Bay, Florida; House Document Numbered 559, Eightieth Congress;

Mississippi.

Gulfport Harbor, Mississippi; in accordance with the report of the Chief of Engineers dated April 20, 1948;

Harrison County, Mississippi; Shore protection; House Document Numbered 682, Eightieth Congress;

Galveston Harbor, Texas; House Document Numbered 561, Eighteth Congress; Texas.
Galveston Channel, Texas; House Document Numbered 561, Eighteth Congress;
Texas City Channel, Texas; House Document Numbered 561, Eighteth Congress;
Houston Ship Channel, Texas; House Document Numbered 561, Eighteth Congress;
Port Aransas-Corpus Christie Waterway, Texas; House Document Numbered 560, Eighteth Congress;
Mississippi River at Fort Madison, Iowa; House Document Numbered 661, Eighteth Congress; Iowa.
Grand Traverse Bay, Michigan (in the vicinity of Traverse City); House Document Numbered 546, Eighteth Congress; Michigan.
Port Wing Harbor, Wisconsin; House Document Numbered 668, Eighteth Congress; Wisconsin.
Dunkirk Harbor, New York; House Document Numbered 632, Eighteth Congress; New York.
Oswego Harbor, New York; in accordance with the report of the Chief of Engineers dated May 10, 1948;
Halfmoon Bay, California; House Document Numbered 644, Eighteth Congress; California.
Noyo River and Harbor, California; House Document Numbered 586, Eighteth Congress;
Tillamook Bay and Bar, Oregon (channel to, and boat basin at, Garibaldi); House Document Numbered 650, Eighteth Congress; Oregon.
Umpqua River, Oregon (channel to, and basin in, Winchester Bay); Senate Document Numbered 154, Eighteth Congress.
Coos Bay, Oregon (Charleston Channel); House Document Numbered 646, Eighteth Congress;
Coos and Millicoma Rivers, Oregon; Senate Document Numbered 124, Eighteth Congress;
Skipanon Channel, Oregon (at Warreton); Senate Document Numbered 93, Eighteth Congress;
Smith River, Oregon; Senate Document Numbered 94, Eighteth Congress;
Grays Harbor and Chehalis River, Washington; House Document Numbered 635, Eighteth Congress. Washington.

SEC. 102. That hereafter direct allotments from appropriations for the maintenance and improvement of existing river and harbor works, or from other available appropriations, may be made by the Secretary of the Army for the collection and removal of drift in Baltimore Harbor and its tributary waters, and this work shall be carried out as a separate and distinct project. Baltimore Harbor.

SEC. 103. The proposed work of improvement of the Intracoastal Waterway from the Caloosahatchee to the Anclote River, Florida, House Document Numbered 371, Seventy-sixth Congress, as authorized in the Rivers and Harbors Act of March 2, 1945, is modified to the extent herein set forth, and the Secretary of the Army, acting through the Chief of Engineers, is authorized to utilize in the area affected such of the following routes as may be determined feasible by the Chief of Engineers, with the approval of the Secretary of the Army, namely, Route 1 generally paralleling the coast from Venice Bay to Lemon Bay as heretofore authorized in the River and Harbor Act of March 2, 1945; Route 2: Run east from the junction of Little Sarasota Bay and Casey's Inlet Channel, along the south side of Venice Bay, to a point just west of the Seaboard Railroad right-of-way; thence south to Alligator Creek; thence southwest to Lemon Bay; Route 3: Run east from the junction of Little Sarasota Bay and Casey's Inlet Channel, along the north side of Venice Bay, to the old canal right-of-way; Intracoastal Waterway, Fla. 59 Stat. 17.

thence east along the old canal right-of-way to the divide in section 3; thence south to Alligator Creek; thence southwest to Lemon Bay; Route 4: Cut an inlet from the open Gulf to Route 1 (House Document Numbered 371, Seventy-sixth Congress) in the vicinity of south end of the airport, with the necessary protecting works and jetties, thence along present Route 1 to Lemon Bay: *Provided*, That the cost to the United States shall not exceed the cost of the original route.

Neches and Angelina Rivers, Tex.

59 Stat. 18.

SEC. 104. That the existing project for the Neches and Angelina Rivers, Texas, adopted in the River and Harbor Act approved March 2, 1945, is hereby modified so as to provide that the local agency which gives assurances that upon completion of the entire project it will contribute toward the first cost of the work the sum of $5,000,000, shall be permitted to withdraw from the pool of dam B not to exceed two thousand cubic feet of water per second for its own use.

Bayou Carlin, La.

59 Stat. 18.

SEC. 105. In the prosecution of the work for the improvement of Bayou Carlin, Louisiana, in accordance with project adopted by the River and Harbor Act of March 2, 1945, the Chief of Engineers is hereby authorized to protect the piers of the railway bridge crossing Bayou Carlin at Delcambre, Louisiana.

Compilation of laws since June 25, 1938.

SEC. 106. That the laws of the United States relating to the improvement of rivers and harbors passed since June 25, 1938, shall be compiled under the direction of the Secretary of the Army and the Chief of Engineers and printed for use of the Department of the Army.

Permanent International Commission of the Congresses of Navigation.
Ante, p. 1021.

SEC. 107. That not to exceed $5,000 annually of the funds appropriated for rivers and harbors shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment in amounts approved by the Chief of Engineers of the expenses of the properly accredited delegates of the United States to the meetings of the congresses and of the Commission.

Foster Creek Dam.

60 Stat. 637.

SEC. 108. The dam site known as Foster Creek Dam on the Columbia River authorized in the River and Harbor Act of July 24, 1946, shall hereafter be known as the Chief Joseph Dam, and any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of Foster Creek Dam shall be held to refer to such dam under and by the name Chief Joseph Dam.

Preliminary examinations and surveys.

SEC. 109. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this title or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted, no supplemental or additional report or estimate shall be made unless authorized by law: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law: *Provided, further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case: *And provided further*, That this section shall not be construed to interfere with the performance of any duties vested in the Federal Power Commission under existing law:

Supplemental reports.

Adoption of project by law.

Reports of surveys on beach erosion, etc.

Noninterference with duties of FPC.

New York.

Dosoris Creek, New York;

Maryland.

Tolchester Beach area, Maryland;

Little Magothy River, Maryland;

Holdens Creek, Virginia;
Hacks Creek, Northumberland County, Virginia; Virginia.
Back River, York County, Virginia, and channel connecting Back River with Front Cove;
Bennetts Creek, York County, Virginia;
Powells Bay, Accomac County, Virginia, at Wisharts Point, and channel connecting said bay with the "Ballast";
Fishermans Bay, Lopez Island, Washington; Washington.
Quilcene Bay Harbor, Washington.

SEC. 110. Title I may be cited as the "River and Harbor Act of 1948". Short title.

TITLE II—FLOOD CONTROL

Flood Control Act of 1948.

SEC. 201. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished. State, etc., cooperation. 49 Stat. 1571; 52 Stat. 1215. 33 U. S. C. §§ 701c, 701c-1. Time limitation.

SEC. 202. The provisions of section 1 of the Act of December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full. 58 Stat. 887. Procedures.

It is hereby declared to be the policy of the Congress that the following provisions shall be observed:

No project or any modification not authorized, of a project for flood control or rivers and harbors, shall be authorized by the Congress unless a report for such project or modification has been previously submitted by the Chief of Engineers, United States Army, in conformity with existing law. Report requirement.

SEC. 203. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That pen stocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this title for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission: Projects authorized. Initiation of project. Installation of pen stocks, etc.

DELAWARE RIVER BASIN

Lackawaxen River, Pa.

The plan for flood protection on the Lackawaxen River, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 113, Eightieth Congress, first session, and there is authorized to be appropriated the sum of $6,150,000 for partial accomplishment of that plan.

SUSQUEHANNA RIVER BASIN

Wilkes-Barre and Hanover Township, Pa.

49 Stat. 1574.

The project for local flood protection at Wilkes-Barre and Hanover Township, Pennsylvania, authorized by the Flood Control Act approved June 22, 1936, in accordance with House Document Numbered 308, Sixty-ninth Congress, first session, is hereby modified to provide for raising a portion of the river front section of the protective levee to provide a uniform degree of protection throughout its length at an estimated cost to the United States of $250,000 and subject to the conditions of local cooperation prescribed for that project in the Act approved June 22, 1936.

JAMES RIVER BASIN

Gathright Reservoir and Falling Springs dam, Va.

60 Stat. 645.

That preparation of plans or construction shall not be undertaken on the Gathright Reservoir and the Falling Springs reregulating dam on Jackson River, Virginia, authorized by the Flood Control Act approved July 24, 1946, in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eightieth Congress, first session, until completion of review of the project to determine the desirability of its construction at the present time, and a finding of the proper local contribution on the basis of benefits to be derived for water supply, pollution abatement, and other conservation purposes.

CENTRAL AND SOUTHERN FLORIDA

Caloosahatchee River and Lake Okeechobee, Fla.

46 Stat. 925.

The project for Caloosahatchee River and Lake Okeechobee drainage areas, Florida, authorized by the River and Harbor Act of July 3, 1930, as amended, is hereby modified and expanded to include the first phase of the comprehensive plan for flood control and other purposes in central and southern Florida as recommended by the Chief of Engineers in House Document Numbered 643, Eightieth Congress, subject to the conditions of local cooperation prescribed therein, and there is hereby authorized to be appropriated the sum of $16,300,000 for partial accomplishment of said plan.

ARKANSAS RIVER BASIN

60 Stat. 647.

Canton Reservoir.

The second paragraph under the heading "Arkansas River Basin" in the Flood Control Act of 1946 is hereby amended to read as follows:

"The Chief of Engineers is authorized to provide in the Canton Reservoir on the North Canadian River one hundred and seven thousand acre-feet of irrigation and water supply storage (including approximately sixty-nine thousand acre-feet for irrigation and thirty-eight thousand acre-feet for municipal water supply for Enid, Oklahoma, to be utilized in accordance with section 8 and section 6, respectively, of the Flood Control Act of December 22, 1944 (Public, 534, Seventy-eighth Congress)), upon the condition that when siltation of the reservoir shall encroach upon the flood control allocation the irrigation and water supply storage will be reduced progressively unless provision is made to raise the height of the dam or otherwise provide compensatory storage for flood control on the basis of an equitable distribution of the costs among the water users and other beneficiaries of conservation storage, as determined at that time."

58 Stat. 891, 890. 43 U. S. C. § 390; 33 U. S. C. § 708.

Carthage and Monett, Mo.

The projects for flood protection at Carthage and Monett, Missouri, in the Arkansas River Basin are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 445, Eightieth Congress, at an estimated cost of $740,000.

Morrilton and Van Buren-Fort Smith.
58 Stat. 895.

The projects for local flood protection on the Arkansas River authorized by the Flood Control Act approved December 22, 1944, in accordance with House Document Numbered 447, Seventy-eighth Congress, are hereby modified to provide that the United States will participate in the cost of raising the approaches to the highway bridges across the Arkansas River at Morrilton and at Van Buren-Fort Smith in an amount not to exceed $300,000.

Bradens Bend, Okla.

The Chief of Engineers is authorized to construct, as an emergency measure, bank protection and control works at Bradens Bend, Oklahoma, in accordance with plans on file in the office of the Chief of Engineers, at an estimated cost of $1,000,000, as a part of the multiple-purpose plan for the Arkansas River and tributaries, Arkansas and Oklahoma, authorized by the River and Harbor Act approved July 24, 1946, and the authorization for appropriation for the Arkansas River Basin is hereby increased accordingly.

60 Stat. 647.

UPPER MISSISSIPPI RIVER BASIN

South Beloit, Ill.

The project for flood protection at South Beloit, Illinois, on the Rock River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 112, Eightieth Congress, at an estimated cost of $100,000.

Henderson River, Ill.

The project for flood protection on the Henderson River, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 245, Eightieth Congress, at an estimated cost of $1,520,000.

Aitkin, Minn.

The project for flood protection at and in the vicinity of Aitkin, Minnesota, on the Mississippi River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 599, Eightieth Congress, at an estimated cost of $1,680,000.

RED RIVER OF THE NORTH

The comprehensive plan for flood control and other purposes in the Red River of the North drainage basin, North Dakota, South Dakota, and Minnesota as set forth in the report of the Chief of Engineers dated May 24, 1948, is approved and there is hereby authorized the sum of $2,000,000 for the partial accomplishment of that plan.

OHIO RIVER BASIN

Uniontown, Pa.

The local flood-protection works at and in the vicinity of Uniontown, Pennsylvania, on Redstone Creek, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 301, Eightieth Congress, at an estimated cost of $1,015,000.

Rosiclare, Ill.

The project for flood protection at Rosiclare, Illinois, on the Ohio River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 125, Eightieth Congress, at an estimated cost of $500,000.

MISSOURI RIVER BASIN

Kenslers Bend, Nebr., to Sioux City, Iowa.
55 Stat. 647.

The project for bank protection on the Missouri River from Kenslers Bend, Nebraska, to Sioux City, Iowa, authorized by the Act approved August 18, 1941, is hereby modified and extended upstream to include

Miners Bend and vicinity, South Dakota and Nebraska, in accordance with plans on file in the office of the Chief of Engineers at an estimated cost of $3,000,000.

GREAT LAKES BASIN

Batavia, N. Y.

The project for flood protection at Batavia and vicinity, New York, on Tonawanda Creek is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 46, Eightieth Congress, at an estimated cost of $565,000.

Dansville, N. Y.

The project for flood protection at Dansville and vicinity, New York, on Canaseraga Creek, a tributary of the Genesee River, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 206, Eightieth Congress, at an estimated cost of $165,000.

Red Run, Mich.

The project for flood protection and other purposes on Red Run, a tributary of the Clinton River, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 628, Eightieth Congress, at an estimated cost of $1,010,000.

Reno Beach-Howards Farm, Ohio.

The project for protection of the Reno Beach-Howards Farm area and adjacent areas, Lucas County, Ohio, from floods caused by frequent windstorms and from increases in the lake level of Lake Erie, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 554, Eightieth Congress, at an estimated cost of $330,000.

SANTA CLARA RIVER BASIN

The project for flood protection along the Santa Clara River and its tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 443, Eightieth Congress, at an estimated cost of $4,960,000.

GILA RIVER BASIN

Tucson, Ariz.

The project for flood protection at Tucson and vicinity, Arizona, in the Gila River Basin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 274, Eightieth Congress, at an estimated cost of $2,390,000.

WILLAMETTE RIVER BASIN

52 Stat. 1222.

The general comprehensive plan for flood control, navigation, and other purposes approved by the Flood Control Act of June 28, 1938, is hereby modified to provide for the installation of hydroelectric

Detroit Reservoir.

power generating facilities, including the construction of a reregulating dam, at Detroit Reservoir on the North Santiam River in accordance with plans on file in the office of the Chief of Engineers.

LOWER MISSISSIPPI RIVER

45 Stat. 534.
33 U. S. C. §§ 702a-702m, 704.

The project for flood control and improvement of the Lower Mississippi River, adopted by the Act approved May 15, 1928, as amended by subsequent Acts, is hereby modified and expanded to include the following items:

Cape Girardeau.

(a) The project for improvement of the Mississippi River below Cape Girardeau with respect to the West Tennessee tributaries at an estimated cost of $7,700,000, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 627, Eightieth Congress, and the authorization for the Lower Mississippi River project is increased accordingly.

(b) The Devils Swamp project at Baton Rouge, Louisiana, at an estimated cost of $2,000,000, authorized by the River and Harbor Act approved July 24, 1946, and the authorization for the Lower Mississippi River project is increased accordingly. Baton Rouge, La. 60 Stat. 635.

(c) The project for improvement of the L'Anguille River, Arkansas, at an estimated cost of $5,100,000 is hereby approved substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Eightieth Congress, and the authorization for the Lower Mississippi River project is increased by $2,000,000. L'Anguille River, Ark.

RIO GRANDE BASIN

The comprehensive plan for the Rio Grande Basin as set forth in the report of the Chief of Engineers dated April 5, 1948, and in the report of the Bureau of Reclamation dated November 21, 1947, all in substantial accord with the agreement approved by the Secretary of the Army and the Acting Secretary of the Interior on November 21, 1947, is hereby approved except insofar as the recommendations in those reports are inconsistent with the provisions of this Act and subject to the authorizations and limitations set forth herein. Approval of plan.

The approval granted above shall be subject to the following conditions and limitations: Limitations.

(a) Construction of the spillway gate structure at Chamita Dam shall be deferred so long as New Mexico shall have accrued debits as defined by the Rio Grande Compact and until New Mexico shall consistently accrue credits pursuant to the Rio Grande Compact; Chamita Dam. 46 Stat. 767.

(b) Chiflo Dam and Reservoir on Rio Grande shall be excluded from the Middle Rio Grande project authorized herein without prejudice to subsequent consideration of Chiflo Dam and Reservoir by the Congress; Chiflo Dam and Reservoir.

(c) The Bureau of Reclamation, in conjunction with other interested Federal agencies, is directed to make studies to determine feasible ways and means of reducing nonbeneficial consumption of water by native vegetation in the flood plain of the Rio Grande and its principal tributaries above Caballa Reservoir; and Studies by Bureau of Reclamation.

(d) At all times when New Mexico shall have accrued debits as defined by the Rio Grande Compact all reservoirs constructed as a part of the project shall be operated solely for flood control except as otherwise required by the Rio Grande Compact, and at all times all project works shall be operated in conformity with the Rio Grande Compact as it is administered by the Rio Grande Compact Commission. Operation of reservoirs, etc. 46 Stat. 767.

In carrying out the provisions of this Act, the Secretary of the Interior shall be governed by and have the powers conferred upon him by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, except as is otherwise provided in this Act or in the reports referred to above. This Act shall be deemed a supplement to said Federal reclamation laws. Authority of Secretary of Interior. 43 U. S. C. § 391.

Approval is granted to the Secretary of the Interior subject to the limitations of the authorizations approved from time to time for the prosecution of this plan to acquire in the name of the United States, by purchase or otherwise, any or all of the bonds and other evidences of indebtedness of the Middle Rio Grande Conservancy District outstanding when such authorizations are approved at such prices and on such terms and conditions as he shall deem necessary or proper for the protection of the investment of the United States and to retire those obligations on such terms and conditions as he shall likewise deem proper or necessary. Acquisition by U. S. of indebtedness of Middle Rio Grande Conservancy District.

The Secretary of the Interior, in entering into a contract or contracts for the repayment of the reimbursable construction costs of the Middle Repayment of reimbursable construction costs.

Rio Grande project, now estimated at approximately $18,000,000, shall vary that amount to reflect changes in the estimates of those costs occurring prior to the date of the contract or contracts and in so doing may, if need be, extend the repayment period beyond forty years to permit payment of costs in excess of the present estimate.

Acquisition of agricultural lands in New Mexico.

Subject to the limitations of authorizations approved from time to time for prosecution of this plan, approval is granted to the Secretary of the Interior to acquire, on behalf of the United States, by purchase or donation, agricultural lands owned by the State of New Mexico within the Middle Rio Grande project and to develop those lands substantially in the manner outlined in the report of the Bureau of Reclamation referred to above.

Sale or lease of land.

Lands so acquired shall be resold or leased by the Secretary to actual settlers for agricultural purposes under rules and regulations prescribed by him which rules and regulations shall set out the prices and terms of such sales and leases, the qualifications required of purchasers and lessees, and other matters relating to the disposition and use of these lands, and shall provide a preferred right to purchase or lease any tract of such land to otherwise qualified persons of the following classes in the order here set out, purchasers in any class being preferred to lessees in that or any other class:

Order of preference in leases or purchases.

(1) The former owner or owners of such tracts, if his or their title thereto was divested by reason of sale for taxes to the State of New Mexico.

(2) Honorably discharged veterans of World War II who are the sons or daughters of the former owner or owners of such tract, if the title of said former owner or owners was divested by reason of sale for taxes to the State of New Mexico.

(3) The sons or daughters of the former owner or owners of such tract other than those referred to in (2) if the title of said former owner or owners was divested by reason of sale for taxes to the State of New Mexico.

(4) Honorably discharged veterans of World War II other than those referred to in (2).

(5) Persons other than those referred to in the clauses above.

Any deed executed by the Secretary in favor of any person described under (4) or (5) shall provide that any person described under (1), (2), or (3) shall have the right to purchase any land conveyed by such deed, within a period of ten years after the execution thereof, by (a) paying to the owner the amount or amounts actually paid by him as consideration for such deed and for the actual cost of improvements on such land plus interest at the rate of 6 per centum per annum on such amount or amounts, and (b) assuming any obligations of the owner to the Secretary with respect to such land.

Expiration of lease.

Any lease executed by the Secretary under the provisions of this section to any person described under (4) or (5) shall, by its terms, expire not later than five years after the date of its execution.

Preferred rights.

The preferred rights provided for by this section to purchase or lease any land shall continue to be applicable until such land is finally disposed of by the Secretary; but the right of any lessee or purchaser to enter into possession shall be subject to any rights under any prior lease executed by the Secretary. Moneys accruing from the sale or lease of said lands shall be covered into the reclamation fund in the Treasury.

Use of water.

In the administration of the provisions of this Act all water in the Middle Rio Grande Valley in New Mexico shall be deemed to be useful primarily for domestic, municipal, and irrigation purposes.

Nothing in this Act shall be construed as affecting or abrogating in any way the laws of the State of New Mexico in which the Middle Rio

Grande Valley lies, relating to the control, appropriation, or distribution of water used in irrigation or for municipal or other uses, or any vested right therein.

Obligations of U. S.

Nothing in this Act shall be construed to abrogate or impair existing obligations of the United States or any agency thereof, including obligations to furnish water for irrigation and obligations to any Indian or tribe or band of Indians whether based on treaty, agreement, or Act of Congress.

Appropriation authorized.

There is hereby authorized to be appropriated the sum of $3,500,000 to be expended by the Department of the Army for the partial accomplishment of the comprehensive plan for the Rio Grande Basin.

Preliminary examinations and surveys.

SEC. 204. The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on such drainage areas, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law;

Supplemental reports.

Adoption of project by law.

Rahway River and its tributaries, New Jersey;

Chowan River and its tributaries, Virginia and North Carolina;

Pantego Creek and Cucklers Creek, North Carolina;

Rice Creek, a tributary of Saint Johns River, Florida;

Texas.

Streams flowing through the Brazoria-Galveston Soil Conservation District, the Trinity Bay Soil Conservation District, the Coastal Plains Soil Conservation District, and the Matagorda County Soil Conservation District, Texas, with a view to improvement in the interest of navigation, flood control, and related purposes, including channel and major drainage improvements;

Texas City, Tex.

Area at and in the vicinity of Texas City, Texas, with a view to providing for its protection against storms and erosions, including the protection of the instrumentalities and aids to commerce located there;

Au Gres River and tributaries, Michigan;

Bellevue, Ohio.

Area at and in the vicinity of Bellevue, Ohio, and the surrounding area of Seneca, Erie, Huron, and Sandusky Counties, with a view to the control of floods caused by excess underground and surface waters;

Alaska.

Harbors and rivers in Alaska, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power, and related water uses;

Two Mile Creek, Oregon;

Aroostook River and tributaries, Maine;

Beaver Creek, Lincoln County, Oregon;

Skinner Creek, at and in the vicinity of Mannesville, New York;

Steinhatchee and Fenholloway Rivers, Florida;

River Rouge and tributaries, Michigan.

Allotment for small projects.

SEC. 205. That the Secretary of the Army is hereby authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed $2,000,000 for any one fiscal year, for the construction of small flood-control projects not specifically authorized by Congress, and not within areas intended to be protected by projects so authorized, which come within the provisions of section 1 of the Flood Control Act of June 22, 1936, when in the opinion of the Chief of Engineers such work is advisable: *Provided*, That not more than $100,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year: *Provided further*, That the provisions of local cooperation specified in section 3 of the Flood Control Act of June 22, 1936, as amended, shall apply: *And provided further*, That the work shall be complete in itself and not commit the United States to any additional improvement to insure its successful operation, except as may result from the normal procedure applying to projects authorized after submission of preliminary examination and survey reports.

49 Stat. 1570.
33 U. S. C. § 701a.
Limitation.

49 Stat. 1571.
33 U. S. C. § 701c.

SEC. 206. That section 5 of the Flood Control Act of August 18, 1941, as amended by section 12 of the Flood Control Act of 1946, is hereby further amended to read as follows:

55 Stat. 650; 60 Stat. 652.
33 U. S. C. § 701n.
Allotment for rescue work, etc.

"That the Secretary of the Army is hereby authorized to allot, from any appropriations heretofore or hereafter made for flood control, not to exceed $2,000,000 for any one fiscal year to be expended in rescue work or in the repair, restoration, or maintenance of any flood-control work threatened or destroyed by flood, including the strengthening, raising, extending, or other modification thereof as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the work for flood control."

Appropriations authorized for improvements and surveys.

SEC. 207. That the sum of $62,000,000 is hereby authorized to be appropriated for carrying out improvements under this title by the Department of the Army, and the sum of $10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of the Army and Agriculture for carrying out any examination or survey provided for in this title and any other Acts of Congress to be prosecuted by said Departments.

Appropriation authorized for emergency fund.

SEC. 208. That the sum of $25,000,000 is hereby authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by recent floods, or which may be threatened or destroyed by later floods, including the raising, extending, or other modification of such works as may be necessary in the discretion of the Chief of Engineers for the adequate functioning of the works for flood control: *Provided*, That local interests shall provide without cost to the United States all lands, easements, and rights-of-way necessary for the work and shall maintain and operate all the works after completion in a manner satisfactory to the Chief of Engineers: *Provided further*, That pending the appropriation of said sum, the Secretary of the Army may allot from existing flood-control appropriations such sums as may be necessary for the immediate prosecution of the work authorized by this section, such appropriations to be reimbursed from said emergency fund when appropriated: *And provided further*, That funds allotted under this authority shall not be diverted from the unobligated funds from the appropriation "Flood control, general", made available in War Department Civil Functions Appropriation Acts for specific purposes.

Allotments from other appropriations.

Short title.

SEC. 209. Title II may be cited as the "Flood Control Act of 1948".

Approved June 30, 1948.

[CHAPTER 772]

AN ACT

June 30, 1948
[H. R. 6465]
[Public Law 859]

To amend and supplement section 2 of the Act approved August 30, 1935, relating to the construction and financing of toll bridges over the Delaware River by the Delaware River Joint Toll Bridge Commission of the Commonwealth of Pennsylvania and the State of New Jersey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes", approved August 30, 1935, be, and the same is hereby, amended and supplemented by adding at the end thereof the following paragraph:

Delaware River Joint Toll Bridge Commission, amendment.

49 Stat. 1051.

"(e) Notwithstanding any of the foregoing provisions of this section or of any other Act of the Congress, the Delaware River Joint Toll Bridge Commission of the Commonwealth of Pennsylvania and the State of New Jersey is hereby authorized (1) to fix and charge tolls for transit over any bridge heretofore or hereafter constructed by it across the Delaware River in accordance with the provisions of the original compact or agreement between said Commonwealth of Pennsylvania and said State of New Jersey which is set forth in section 9 of said Act approved August 30, 1935, as amended with the consent of Congress by the compact or supplemental agreement which is set forth in the Act approved August 4, 1947; and (2) to unite or group any such bridges into a single project for financing purposes and to continue to fix and adjust the tolls for the use of the bridges in such project and pledge such tolls in accordance with the provisions of said original compact or agreement as so amended: *Provided, however*, That after the cost of any such bridge or of the bridges in any such project shall be amortized, such bridge or bridges shall thereafter be maintained and operated free of tolls".

Tolls.

49 Stat. 1058.

61 Stat. 752.

Operation, etc., free of tolls.

Approved June 30, 1948.

[CHAPTER 773]

AN ACT

June 30, 1948
[H. R. 6481]
[Public Law 860]

Making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

The Government Corporations Appropriation Act, 1949.

TITLE I

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1949, namely:

TENNESSEE VALLEY AUTHORITY

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U. S. C., ch. 12A), including purchase (not to exceed one, for replacement only) and hire, maintenance, repair, and operation of aircraft; the purchase (not to exceed two hundred and seventy, of which two hundred and twenty shall be for replacement only) and hire of passenger motor vehicles, $27,389,061, to remain available until expended, and to be available for the payment of obligations chargeable against prior appropriations, together with the unobligated balance of funds heretofore appropriated, of which not to exceed $21,689,000 shall be available for capital

48 Stat. 58.
16 U. S. C. §§ 831-831dd; Supp. I, § 831h-2 *et seq.*

expenditures, including construction of dams, additions and betterments to completed multiple-use facilities, investigations for future projects, chemical facilities, and facilities and equipment for general use.

HOUSING AND HOME FINANCE AGENCY

OFFICE OF THE ADMINISTRATOR

Salaries and expenses, Office of the Administrator, $750,000, to be available for necessary expenses of the Office of the Administrator, including the preparation, mounting, shipping, and installation of exhibits; expenses of attendance at meetings of organizations concerned with the work of the Agency when specifically authorized by the Administrator; and health service program as authorized by law (5 U. S. C. 150).

Post, p. 1290.

60 Stat. 903.

PUBLIC HOUSING ADMINISTRATION

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C. 1410), $4,840,000: *Provided*, That except for payments required on contracts entered into prior to April 18, 1940, no part of this appropriation shall be available for payment to any public housing agency for expenditure in connection with any low-rent housing project, unless the public housing agency shall have adopted regulations prohibiting as a tenant of any such project by rental or occupancy any person other than a citizen of the United States, but such prohibition shall not be applicable in the case of a family of any serviceman or the family of any veteran who has been discharged (other than dishonorably) from, or the family of any serviceman who died in, the armed forces of the United States within four years prior to the date of application for admission to such housing: *Provided further*, That no part of this appropriation shall be used to pay any public housing agency any contribution occasioned by payments in lieu of taxes in excess of the amount specified in the original contract between such agency and the Public Housing Administration or its predecessor agencies: *Provided further*, That all expenditures of this appropriation shall be subject to audit and final settlement by the Comptroller General of the United States under the provisions of the Budget and Accounting Act of 1921, as amended.

50 Stat. 891.

Citizenship of tenant.

Restriction on payment.

Audit and settlement.

42 Stat. 20.
31 U. S. C. § 1.

DEPARTMENT OF STATE

THE INSTITUTE OF INTER-AMERICAN AFFAIRS

For necessary expenses of the Institute of Inter-American Affairs in carrying out the provisions of Public Law 369, approved August 5, 1947, during the fiscal year 1949, $2,500,000: *Provided*, That funds made available to the Corporation by this Act and under prior appropriations and not obligated by the Corporation on or before June 30, 1949, shall not be available for obligation after that date and shall lapse pursuant to section 3690 of the Revised Statutes and the Act of June 20, 1874, as amended (31 U. S. C. 712, 713).

61 Stat. 780.
22 U. S. C., Supp. I, §§ 281-281*i*.

18 Stat. 110.

DEPARTMENT OF AGRICULTURE

FARM CREDIT ADMINISTRATION

For necessary expenses, including personal services in the District of Columbia; printing and binding; not to exceed $5,000 for attendance at meetings or conventions of members of organizations at which

matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; not to exceed $750 for periodicals and newspapers; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; not to exceed $20,000 for expenditures authorized by section 602 of the Organic Act of 1944 (12 U. S. C. 833); purchase of one passenger motor vehicle (for replacement only) for use in the District of Columbia and elsewhere; garage rental in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed $10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration, except that such expenditures shall not exceed $10,000; examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration; in all, $500,000. Collections made pursuant to section 601 of the Organic Act of 1944 (12 U. S. C. 832) are hereby made available to reimburse this appropriation for the cost of examining and supervising the corporations, banks, associations, and other organizations as provided in said section.

58 Stat. 741.

58 Stat. 740.

DEPARTMENT OF COMMERCE

Inland Waterways Corporation: For the purchase of capital stock of the Inland Waterways Corporation authorized by section 2 of the Act of June 3, 1924, as amended (49 U. S. C. 152), $2,000,000, to remain available until expended.

43 Stat. 360.

REDUCTION IN APPROPRIATIONS

Amounts available from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury upon the approval of this Act:

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator: Veterans' housing: $7,650,000 of the unobligated balances of the funds appropriated or made available for carrying out the veterans' reuse housing program under title V of the Lanham Act (Act of October 14, 1940, as amended, 42 U. S. C. 1521, 1571), of which $4,650,000 shall be from the unobligated balances of the funds appropriated by Public Law 256, Eightieth Congress.

59 Stat. 260.
42 U. S. C. §§ 1571–1573; Supp. I, §§ 1571, 1572.
61 Stat. 514.

TITLE II

The following corporations and agencies, respectively, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Budget for the fiscal year 1949 for each such corporation or agency, except as hereinafter provided:

59 Stat. 598.
31 U. S. C., Supp. I, § 849.

INDEPENDENT AGENCIES AND CORPORATIONS

Export-Import Bank of Washington: Not to exceed $800,000 (to be on an accrual basis) of the funds of the Export-Import Bank of Washington shall be available during the fiscal year 1949 for all administrative expenses of the bank, including not to exceed $300 for periodicals, $300 for newspapers, and $500 for maps; health-service program as

60 Stat. 903.

authorized by law (5 U. S. C. 150), and not to exceed $2,000 for temporary services, as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a): *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, shall be considered as nonadministrative expenses for the purposes hereof.

60 Stat. 810.
Nonadministrative expenses.

Panama Railroad Company: Not to exceed $715,000 (to be computed on an accrual basis) of the funds of the company shall be available during the fiscal year 1949 for its administrative expenses, including administrative services performed for the company by other Government agencies, which shall be determined in accordance with the company's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, payment of claims, expenses of the commissary coupon audit, commissary contraband inspection, expenditures which the company's prescribed accounting system requires to be capitalized or charged to cost of commodities acquired, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, and disposition of facilities and other property belonging to the company or in which it has an interest: *Provided*, That prior to July 31, 1948, the Board of Directors shall declare and pay into the Treasury of the United States as miscellaneous receipts a dividend of $10,000,000 if not otherwise required to be turned into the Treasury under the provisions of the proposed Federal charter: *Provided further*, That section 304 (b) of the Government Corporation Control Act, as amended (Public Law 248, approved December 6, 1945), shall not be applicable with respect to the Panama Railroad Company until after June 30, 1949.

Dividend.

59 Stat. 602.
31 U. S. C. § 869 (b).

Liquidation.

Tennessee Valley Associated Cooperatives, Incorporated: Of the funds available to the Corporation, not to exceed $500 shall be available for administrative expenses related to liquidation and dissolution, and not to exceed $500 for the cost of audit, as required by the Government Corporation Control Act of December 6, 1945 (Public Law 248): *Provided*, That all administrative duties and responsibilities shall be assumed by such officers and employees of the Treasury Department as the Secretary of the Treasury may designate, and who shall receive no additional compensation for such duties: *Provided further*, That the Secretary of the Treasury shall take appropriate steps to secure the final dissolution and liquidation of said Corporation at the earliest practicable date: *Provided further*, That the total cost of liquidation and dissolution shall be paid out of funds available to the Corporation without additional appropriations therefor: *Provided further*, That the Board of Directors of the Corporation is authorized to transfer to the Secretary of the Treasury title to assets (other than real property) of the Corporation upon certification of the president of the Corporation that such transfer is to the interest of the Government of the United States and the Secretary of the Treasury is authorized to dispose of such assets at such times and in such manner as he may determine.

59 Stat. 597.
31 U. S. C. §§ 841, 846–852, 856–859, 866–869; Supp. I, § 846 *et seq.*
Post, p. 1283.
Administrative duties, etc.

Transfer of title to assets.

Tennessee Valley Authority: Pursuant to the requirements applicable to the Tennessee Valley Authority of title II, Public Law 268, approved July 30, 1947, total payments of not less than $5,500,000 shall be made in the fiscal year 1949 from net income derived from power operations.

61 Stat. 576.

Not to exceed $3,677,000, of which not to exceed $992,061 shall be derived from funds appropriated by title I hereof (to be computed

on an accrual basis), of the funds available to the Tennessee Valley Authority, shall be available during the fiscal year 1949 for all administrative and general expenses of the Corporation, which expenses shall be inclusive of costs of all administrative offices and other activities representing management and other functions serving the programs and projects of the Corporation in general.

Administrative expenses.

Reconstruction Finance Corporation: Not to exceed $24,796,000 (to be computed on an accrual basis) of the funds of the Reconstruction Finance Corporation shall be available during the fiscal year 1949 for its administrative expenses and the administrative expenses of the Federal National Mortgage Association; not to exceed $1,500 for periodicals and newspapers; health service program as authorized by law (5 U. S. C. 150); use of the services and facilities of the Federal Reserve banks: *Provided*, That as used herein the term "administrative expenses" shall be construed to include all salaries and wages, services performed on a contract or fee basis, and travel and other expenses, including the purchases of equipment and supplies, of administrative offices: *Provided further*, That the limiting amount heretofore stated for administrative expenses shall be increased by an amount which does not exceed the aggregate cost of salaries, wages, travel, and other expenses of persons employed outside the continental United States; wages, fees, and other expenses, including cost of contract services, of persons who are exclusively engaged in construction, operation, clearance, maintenance and protection of plants, operating facilities, acquired collateral, and other property in which the Corporation has an interest; the expenses of services performed on a contract or fee basis in connection with termination of contracts or in the performance of legal services; and all expenses reimbursable from other Government agencies: *Provided further*, That the distribution of administrative expenses to the accounts of the Corporation shall be made in accordance with generally recognized accounting principles and practices: *Provided further*, That, except as otherwise provided hereinafter, none of the funds of the Reconstruction Finance Corporation and its subsidiary shall be used for the custody, maintenance, or disposal of any surplus property within the continental limits of the United States, its Territories or possessions, except such property as may be owned by and held for disposal by the Reconstruction Finance Corporation or its subsidiary; but, notwithstanding any other provision of law, the Reconstruction Finance Corporation may waive reimbursement from War Assets Administration for the administrative property transferred prior to July 1, 1946, and for expenses incurred prior thereto in the custody, maintenance, or disposal of any surplus property: *Provided further*, That no part of the funds of the Reconstruction Finance Corporation or of its subsidiary shall be used to make any purchase or for personal services or to enter into any contract for the use or benefit of any other agency of the Government unless such agency shall have authority in law and appropriations available to make reimbursement for such purchase, personal services, or contract, except that this provision shall not apply to expenditures in connection with materials, surplus to the needs of the Corporation, which have been or hereafter shall be transferred to stock piles established pursuant to the Strategic and Critical Materials Stock Piling Act (60 Stat. 599): *Provided further*, That the Secretary of the Treasury is hereby authorized and directed to cancel notes of the Reconstruction Finance Corporation in the amount of $9,313,736,531, plus the interest accrued thereon subsequent to June 30, 1947, the foregoing stated amount representing unrecovered costs to the Corporation as of June 30, 1947, in its national defense, war, and reconversion activities, and any amounts recovered by the Corporation with respect to these activities subsequent to June

60 Stat. 903.

"Administrative expenses."

Increase in limitation.

Accounting.

Surplus property.

Purchases, etc.

60 Stat. 596.
50 U. S. C. §§ 98-98h; Supp. I, § 98 note.

Ante, p. 1101.

Cancellation of RFC notes.

30, 1947, shall, after deduction of related expenses, be deposited in the Treasury as miscellaneous receipts: *Provided further*, That, notwithstanding the provisions of section 6 (b) of the Strategic and Critical Materials Stock Piling Act (60 Stat. 599), the Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation on account of the transfer of materials to stock piles in an amount equivalent only to the costs incurred by the Corporation subsequent to June 30, 1947, for handling, storing, processing, and transporting such materials, as determined and certified by the Corporation from its accounting records.

50 U. S. C. § 98e (b).

HOUSING AND HOME FINANCE AGENCY

Home Loan Bank Board: Not to exceed a total of $1,800,000, of which $1,340,000 shall be available exclusively for necessary expenses in connection with the making of supervisory or other examinations (except examinations of Federal home loan banks) including the provision of services and facilities therefor, to be derived from the special deposit account established under the provisions under the head "Federal Home Loan Bank Administration" in the Independent Offices Appropriation Act, 1944, and from receipts of the Federal Home Loan Bank Administration, the Federal Home Loan Bank Board, or the Home Loan Bank Board for the fiscal year 1949 and prior fiscal years, shall be available during the fiscal year 1949 for administrative expenses of the Home Loan Bank Board, including health-service program as authorized by law (5 U. S. C. 150), and the Board may utilize and may make payment for services and facilities of the Federal home-loan banks, the Federal Reserve banks, the Federal Savings and Loan Insurance Corporation, the Home Owners' Loan Corporation, and other agencies of the Government: *Provided*, That all necessary expenses in connection with the conservatorship of institutions insured by the Federal Savings and Loan Insurance Corporation and all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal home-loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421–1449).

57 Stat. 185.

60 Stat. 903.

Nonadministrative expenses.

47 Stat. 725. 12 U. S. C., Supp. I, § 1422 *et seq.* *Post*, p. 1240.

Federal Savings and Loan Insurance Corporation: Not to exceed $600,000 shall be available for administrative expenses, including health-service program as authorized by law (5 U. S. C. 150), which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses in connection with liquidation of insured institutions, liquidation or handling of assets of or derived from insured institutions, payment of insurance, and action for or toward the avoidance, termination, or minimizing of losses in the case of specific insured institutions, and legal fees and expenses, and said Corporation may utilize and may make payment for services and facilities of the Federal home-loan banks, the Federal Reserve banks, the Home Loan Bank Board, the Home Owners' Loan Corporation, and other agencies of the Government: *Provided*, That notwithstanding any other provisions of this Act,

60 Stat. 903.

except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with title IV of the Act of June 27, 1934, as amended (12 U. S. C. 1724–1730).

48 Stat. 1255.
12 U. S. C., Supp. I, §§ 1725, 1729 notes.
Post, p. 1240.

Home Owners' Loan Corporation: Not to exceed $2,300,000 shall be available for administrative expenses, including health-service program as authorized by law (5 U. S. C. 150), which shall be on an accrual basis and shall be exclusive of interest paid, depreciation, properly capitalized expenditures, expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Corporation or in which it has an interest, and legal fees and expenses, and said Corporation may utilize and may make payment for services and facilities of the Federal home-loan banks, the Federal Reserve banks, the Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and other agencies of the Government: *Provided*, That, notwithstanding any other provisions of this Act, except for the limitation in amount hereinbefore specified, the administrative expenses and other obligations of said Corporation shall be incurred, allowed, and paid in accordance with the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461–1468): *Provided*, That all right, title, and interest of the Home Owners' Loan Corporation in the capital stock of the Federal Savings and Loan Insurance Corporation is hereby transferred to the Secretary of the Treasury and the Secretary of the Treasury is authorized and directed to cancel bonds of the Home Owners' Loan Corporation in an amount equal to the par value of the stock of the Federal Savings and Loan Insurance Corporation so transferred, plus accrued dividends thereon which, notwithstanding any other provision of law, shall be computed at a rate approximating the average interest cost incurred by the Home Owners' Loan Corporation on its total borrowings during each respective fiscal year: *Provided further*, That not to exceed $5,000 of the funds of said Corporation shall be available until June 30, 1952, for the payment of such expenses as the Chairman of the Home Loan Bank Board or his designee or designees may find necessary for winding up the affairs and effecting the dissolution of the United States Housing Corporation and the United States Housing Corporation of Pennsylvania.

60 Stat. 903.

48 Stat. 128.
12 U. S. C., Supp. I, § 1462 *et seq.*
Post, p. 1239.
Transfer of capital stock.

Liquidation of U. S. Housing Corporations.

Federal Housing Administration: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Federal Housing Administration in carrying out duties imposed by or pursuant to law, not to exceed $19,000,000 of the various funds of the Federal Housing Administration as follows: (1) The mutual mortgage insurance fund; (2) the housing insurance fund; (3) the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I of the National Housing Act, as amended (12 U. S. C. 1701); and (4) the war housing insurance fund shall be available for expenditure, in accordance with the provisions of said Act for the administrative expenses of the Federal Housing Administration, including not to exceed $1,500 for periodicals and newspapers; not to exceed $1,500 for contract actuarial services; and health-service program as authorized by law (5 U. S. C. 150): *Provided*, That necessary expenses of the Administration (including services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, completion, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority

Ante, p. 1034; *post*, p. 1290.

53 Stat. 805.
12 U. S. C. § 1703 (f).

60 Stat. 903.

Nonadministrative expenses.

48 Stat. 1246, 1247; 55 Stat. 55. 12 U. S. C. §§ 1701-1715c, 1736-1743; Supp. I, § 1702 *et seq.* *Ante*, p. 101; *post*, pp. 1209, 1268.

of titles I, II, and VI of said National Housing Act, shall be considered as nonadministrative for the purposes hereof: *Provided further*, That, except as herein otherwise provided, the administrative expenses and other obligations, including nonadministrative expenses, of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701).

Post, p. 1206.

Public Housing Administration: Of the amounts available by or pursuant to law for the administrative expenses of the Public Housing Administration in carrying out duties imposed by or pursuant to law including not to exceed $2,500,000 of the funds available for administrative expenses for the United States Housing Act program (all of which are hereby merged into a single administrative expense account), not to exceed $9,500,000 shall be available for such expenses subject to the provisions of section 6 (b) of the Act of September 1, 1937, as amended, 42 U. S. C. 1406 (b), including health-service program as authorized by law (5 U. S. C. 150): *Provided*, That the number of officers and employees in classification grades 11 of the clerical, administrative, and fiscal service, and 4 of the professional service, and higher grades shall not exceed 20 per centum of the total number of officers and employees paid from such funds: *Provided further*, That necessary expenses of providing representatives of the Administration at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Administration, shall be compensated by such agencies by the payment of fixed fees which in the aggregate in relation to the development costs of such projects will cover the costs of rendering such services, and expenditures by the Administration for such purpose shall be considered nonadministrative expenses, and funds received from such payments may be used only for the payment of necessary expenses of providing representatives of the Administration at the sites of non-Federal projects or for administrative expenses of the Administration not in excess of the amount authorized by the Congress.

Merger of funds.

50 Stat. 890.

60 Stat. 903.

Nonadministrative expenses.

Liquidation of resettlement projects: Not to exceed $40,000 of the receipts derived from the operation of the projects transferred under section 4 (b) of Reorganization Plan Numbered 3 of 1947 shall be available for necessary expenses in connection with and to facilitate disposition of the suburban resettlement projects known as Greenbelt, Greendale, and Greenhills including services in accordance with section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).

61 Stat. 955. 5 U. S. C., Supp. I, § 133y-16 note.

60 Stat. 810.

Transfer of capital stock.

Defense Homes Corporation: Within thirty days after the date of enactment hereof the Housing and Home Finance Administrator shall transfer or cause to be transferred to the Reconstruction Finance Corporation, without reimbursement or other consideration, all of the capital stock of Defense Homes Corporation, together with the stock certificates evidencing the ownership of such stock. All assets and liabilities of every kind and nature and all records of Defense Homes Corporation shall be transferred, not later than July 30, 1948, as of June 30, 1948 (the corporate records for the fiscal year 1948 to be closed by Defense Homes Corporation prior to actual transfer thereof), to the Reconstruction Finance Corporation, without reimbursement or other consideration, for the purpose of liquidation in an orderly manner. The Reconstruction Finance Corporation shall proceed to liquidate the affairs of the Defense Homes Corporation, including realization of the value of all its assets and settlement of all its legal liabilities including the existing indebtedness of Defense Homes Corporation to the Reconstruction Finance Corporation. Any net proceeds remaining after the payment of all obligations of Defense Homes Corporation, and all administrative expenses incurred in its liquidation, shall be covered into the Treasury as miscellaneous receipts.

Liquidation.

Net proceeds.

Not to exceed $3,000 of the funds available to the Housing and Home Finance Agency for expenses of travel shall be available, when specifically authorized by the Administrator or head of the constituent agency concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation or authorization is made. Travel expenses.

DEPARTMENT OF AGRICULTURE

Federal Farm Mortgage Corporation: Not to exceed $2,000,000 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services, and the use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by the Act of January 31, 1934 (12 U. S. C. 1020–1020h); and said total sum shall be exclusive of interest expense, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That of the funds available to the Corporation for administrative expenses, not to exceed $244,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered: *Provided further*, That prior to June 30, 1949, not less than $68,000,000, and all additional cash funds in excess of operating requirements for the fiscal year 1949, shall be declared as dividends and paid into the general fund of the Treasury: *Provided further*, That the aggregate amount of bonds the Corporation may issue and have outstanding at any one time shall not exceed $500,000,000. 48 Stat. 344. Dividends. Bonds.

Federal intermediate credit banks: Not to exceed $1,607,500, of which $107,500 shall be available only for liquidation of obligations incurred in the fiscal year 1948 (to be computed on an accrual basis), of the funds of the banks shall be available for administrative expenses, including the purchase of not to exceed five passenger motor vehicles for replacement only, services performed for the banks by other Government agencies (except services performed by the banks for cooperatives in connection with loans to cooperative associations rediscounted or pledged with the Federal intermediate credit banks, and services performed by any Federal Reserve bank and by the United States Treasury in connection with the financial transactions of the banks); and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the banks or in which they have an interest: *Provided*, That of the funds available to the banks for administrative expenses, not to exceed $330,000, of which $80,000 shall be available only for liquidation of obligations incurred in the fiscal year 1948, shall be available for payment to the Farm Credit Administration for supervisory or other services rendered.

Production credit corporations: Not to exceed $1,500,000 (to be computed on an accrual basis) of the funds of the corporations shall be available for administrative expenses, including the purchase of not to exceed three passenger motor vehicles (for replacement only), services performed for the corporations by other Government agencies; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging Administrative expenses.

to the corporations or in which they have an interest: *Provided*, That of the funds available to the corporations for administrative expenses, not to exceed $232,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered: *Provided*, That prior to June 30, 1949, the corporations shall return Government capital aggregating not less than $30,000,000 to the Treasury of the United States to be carried to the surplus fund and covered into the Treasury, and the Governor of the Farm Credit Administration is authorized and directed to cancel the capital stock of the corporations in par value amount equal thereto.

Administrative expenses.

Regional Agricultural Credit Corporation of Washington, District of Columbia: Not to exceed $146,800 (to be computed on an accrual basis) of the funds of the Corporation shall be available for administrative expenses, including supervision and examination by the Farm Credit Administration and services performed for the Corporation by other Government agencies; and said total sum shall be exclusive of interest expense, legal and special services performed on a contract or fee basis, and expenses in connection with the acquisition, operation, maintenance, improvement, protection, or disposition of real or personal property belonging to the Corporation or in which it has an interest: *Provided*, That no other funds shall be available for administrative expenses of the Corporation: *Provided further*, That of the funds available to the Corporation for administrative expenses, not to exceed $21,000 shall be available for payment to the Farm Credit Administration for supervisory or other services rendered: *Provided further*, That $12,000 additional of the funds available for administrative expenses, fiscal year 1948, shall be available for payment to the Farm Credit Administration for supervisory or other services rendered: *Provided further*, That for the fiscal year 1949, the revolving fund in the Treasury of the United States created by section 84 of the Act of June 16, 1933 (12 U. S. C. 1148a), for investment in any regional agricultural credit corporation shall be available only in the amount of $25,000,000: *Provided further*, That notwithstanding any provisions of law to the contrary, in addition to the foregoing the Corporation is authorized to utilize, from the revolving fund created by section 84 of the Farm Credit Act of 1933 (12 U. S. C. 1148a), such sums as may be necessary (a) to make loans, during a period of five years, to bona fide fur farmers in accordance with the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932, as amended (12 U. S. C. 1148), all such loans to carry full personal liability of the borrowers and to be secured by such collateral as is deemed by the Corporation to be necessary to afford reasonable assurance of repayment, the aggregate principal amount of which loans shall not exceed $4,000,000 outstanding at any one time, and (b) not to exceed $25,000 for administrative expenses of the Corporation and the Farm Credit Administration in connection with such loans, which amount and the aforesaid item of $146,800 may be combined for accounting purposes.

Restriction.

61 Stat. 581.

48 Stat. 273.
12 U. S. C., Supp. I, § 1148a.

48 Stat. 273.
12 U. S. C., Supp. I, § 1148a.

47 Stat. 713.
12 U. S. C., Supp. I, § 1148.

DEPARTMENT OF COMMERCE

Administrative expenses.

Inland Waterways Corporation: Not to exceed $498,800 shall be available for administrative expenses, to be determined in the manner set forth under the title "General expenses" in the Uniform System of Accounts for Carriers by Water of the Interstate Commerce Commission (effective January 1, 1947) for water operations, and in the manner set forth under the title "Operating expense accounts—general" in the Uniform System of Accounts for Steam Railroads of the Interstate Commerce Commission (issue of 1943) for railroad

operations: *Provided*, That no funds shall be used to pay compensation of employees normally subject to the Classification Act of 1923, as amended, at rates in excess of rates fixed for similar services under the provisions of the Classification Act, as amended, nor to pay the compensation of vessel employees and such terminal and other employees as are not covered by the Classification Act, at rates in excess of rates prevailing in the river transportation industry in the area: *Provided further*, That the Corporation is authorized to pay not to exceed $1,482.90 for services actually rendered by former employees during the fiscal year 1947 and for which there is no present authority to pay, as follows: L. Brown, $120.06; W. Finch, $140.11; J. Johnson, $116.16; S. Jones, $86.31; R. Neely, $148.71; G. Sanders, $103.19; N. L. Sanders, $123.82; G. Walker, $130.78; W. Winfield, $183.37; W. Scruggs, $153.60; E. Donley, $102.68; H. Thomas, $74.11.

42 Stat. 1488. 5 U. S. C. §§ 661-674.

Payment to certain former employees.

DEPARTMENT OF THE INTERIOR

VIRGIN ISLANDS COMPANY

Section 304 (b) of the Government Corporation Control Act, as amended (Public Law 248, approved December 6, 1945), shall not be applicable with respect to the Virgin Islands Company until after June 30, 1949.

59 Stat. 602. 31 U. S. C. § 869 (b).

The Virgin Islands Company is authorized to borrow from the Treasury of the United States not to exceed $500,000, for which purpose there is hereby appropriated out of any money in the Treasury not otherwise appropriated $500,000. The Secretary of the Treasury is authorized to make such loans to the Company for repayment not later than one year after the making thereof, at rates of interest determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of any such loan to the Company.

Loans. *Ante*, p. 1170.

Not to exceed $97,880 of the funds available to the Company shall be available for administrative expenses (to be computed on an accrual basis), including salaries of officers, Washington office personnel, and the accounting, purchasing, and pay-roll departments; clerical services; traveling, automobile, office, and sundries expenses; stationery and office supplies; telephone and telegraph; postage; dues and subscriptions; repairs and maintenance of office buildings and equipment; employees' welfare; and public relations: *Provided*, That such total sum shall be inclusive of the gross amounts of the foregoing categories of expenses before apportionment of any part thereof to manufacturing or other expenses: *Provided further*, That such administrative expenses shall be exclusive of salaries of the engineering and shipping departments, storekeepers, and plant clerical personnel; interest expenses; bank service charges; audit fees; and depreciation.

Administrative expenses.

DEPARTMENT OF JUSTICE

Federal Prison Industries, Incorporated: Not to exceed $302,000, of which $35,000 shall be available only for liquidation of obligations incurred in the fiscal year 1948 (to be computed on an accrual basis), of the funds of the Corporation shall be available during the fiscal year 1949 for its administrative expenses, which shall be determined in accordance with the Corporation's prescribed accounting system in effect on July 1, 1946, and shall be exclusive of depreciation, vocational training expenses, payment of claims, expenditures which the said accounting system requires to be capitalized or charged to cost

Administrative expenses.

of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the Corporation or in which it has an interest: *Provided*, That funds of the Corporation shall be available, in amounts not to exceed $338,000 during the fiscal year 1948 and $380,000 during the fiscal year 1949, for expenses of vocational training of prisoners as authorized by the Act of May 11, 1948 (Public Law 521), such expenses to be computed and determined on the same basis and with the same exclusions (except vocational training expenses) as provided herein with respect to administrative expenses.

Vocational training of prisoners.

Ante, p. 230.

DEPARTMENT OF STATE

The Institute of Inter-American Affairs: Not to exceed $490,000 of the funds available to the Corporation shall be available during the fiscal year 1949 for its administrative expenses, including administrative services performed for the Corporation by other Government agencies.

TITLE III

GENERAL PROVISIONS

Funds for administrative expenses.

SEC. 301. Funds made available by this Act for administrative expenses shall be available, in addition to objects for which such funds are otherwise available, for personal services and rent in the District of Columbia; printing and binding; examination of budgets and estimates of appropriations in the field; travel expenses in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (except as to per diem rates outside continental United States) and the Act of February 14, 1931, as amended (5 U. S. C. 73a); for the objects specified under the head "General provisions" in title II of the Independent Offices Appropriation Act, 1949, all the provisions of which title unless otherwise specified in this Act, shall be applicable to the expenditure of such funds; and services in accordance with section 15 of the Act of August 2, 1946 (5 U. S. C. 55a): *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses herein provided shall be correspondingly reduced.

44 Stat. 688. 5 U. S. C. § 821.

46 Stat. 1103.

Ante, p. 193.

60 Stat. 810.

Use of funds for construction, etc.

SEC. 302. No part of any funds of or available to any wholly owned Government corporation shall be used for the purchase or construction, or in making loans for the purchase or construction of any office building at the seat of government primarily for occupancy by any department or agency of the United States Government or by any corporation owned by the United States Government.

Claims.

SEC. 303. Funds of the corporations and agencies covered by the provisions of this Act shall be available for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).

60 Stat. 843. *Ante*, p. 1008.

Accounting.

SEC. 304. Any funds of, or available for expenditure by, any corporation or agency included in this Act, which are not subject to audit by the General Accounting Office under the provisions of the Government Corporation Control Act (31 U. S. C. 841–869) or other law, shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended, and no such fund shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant: *Provided*, That this section shall not be so construed as to modify or repeal any provision of any other law respecting warranting, accounting for, and auditing of funds.

59 Stat. 597. 31 U. S. C., Supp. I, § 846 *et seq.* *Post*, p. 1283.

SEC. 305. No part of the funds of, or available for expenditure by, any corporation or agency included in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any funds available to any corporation or agency included in this Act shall be guilty of a felony, and upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing laws.

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 306. This Act may be cited as "The Government Corporations Appropriation Act, 1949."

Short title.

Approved June 30, 1948.

[CHAPTER 774]

AN ACT

To amend section 2 of the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939.

June 30, 1948
[H. R. 6598]
[Public Law 861]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 2 of the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939, is amended to read:

Insanity proceedings, D. C., amendment.
53 Stat. 1294.
D. C. Code § 21-311.

"SEC. 2. Upon the filing with the court of a verified petition as hereinabove provided, accompanied by the affidavits of two or more responsible residents of the District of Columbia setting forth that they believe the person therein named to be insane or of unsound mind, the length of time they have known such person, that they believe such person to be incapable of managing his own affairs, and that such person is not fit to be at large or go unrestrained, and that if such person be permitted to remain at liberty the rights of persons and property will be jeopardized or the preservation of public peace imperiled or the commission of crime rendered probable, and that such person is a fit subject for treatment by reason of his or her mental condition, the court, or any judge thereof in vacation, may, in its or his discretion, issue an attachment for the immediate apprehension and detention, for preliminary examination, of such person in Saint Elizabeths Hospital and, unless found by the staff of Saint Elizabeths Hospital to be of sound mind, therein for a period not exceeding thirty days. Any person so apprehended and detained shall be given an examination within five days of his admission into Saint Elizabeths

Hospital by the staff of Saint Elizabeths Hospital. The Superintendent of Saint Elizabeths Hospital is hereby authorized to receive and detain such persons, at the expense of the District of Columbia."

53 Stat. 1295. D. C. Code § 21-311.

SEC. 2. The fourth paragraph of section 2 of said Act is hereby amended to read:

Discharge.

"If as a result of examination, the staff of Gallinger Municipal Hospital or Saint Elizabeths Hospital shall find that any person detained in Gallinger Municipal Hospital or Saint Elizabeths Hospital pursuant to the provisions of this section is of sound mind, he shall be discharged forthwith by said Gallinger Municipal Hospital or Saint Elizabeths Hospital, and the petition, if any, shall be dismissed."

Approved June 30, 1948.

[CHAPTER 775]

AN ACT

June 30, 1948
[H. R. 6829]
[Public Law 862]

Making supplemental appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes.

The Supplemental Independent Offices Appropriation Act, 1949.
Ante, pp. 176, 1027.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, namely:

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For expenses necessary for the Office of Defense Transportation, including salary of the Director at not to exceed $12,000, and the Deputy Director at $10,000; personal services in the District of Columbia; not to exceed $54,000 for travel expenses, including expenses of attendance at meetings concerned with the work of the agency; not to exceed $6,500 for printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); $340,000, of which $60,000 shall be available exclusively for terminal-leave payments: *Provided*, That the foregoing amounts may be obligated during the period ending February 28, 1949: *Provided further*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor: *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

60 Stat. 810.

Subsistence to witnesses.

License or inspection fees; taxes.

ATOMIC ENERGY COMMISSION

For expenses necessary to carry out the purposes of the Atomic Energy Act of 1946, including personal services in the District of Columbia and employment of aliens; purchase of land and interests in land; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase of passenger motor vehicles for replacement only; purchase, maintenance, and operation of aircraft; printing and binding; health-service program as authorized by law (5 U. S. C. 150); publication and dissemination of atomic information; payment

60 Stat. 755. 42 U. S. C. §§ 1801-1819; Supp. I, § 1802 note.
Post, p. 1259.
60 Stat. 810.

60 Stat. 903.

of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); purchase, repair, and cleaning of uniforms; purchase of newspapers and periodicals (not to exceed $8,000) and travel expenses (not to exceed $1,500,000); and payment of obligations incurred under prior year contract authorizations; $511,850,000, of which amount $100,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended; from which appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred; and in addition to the amount herein provided, the Commission is authorized to contract for the purposes of this appropriation during the fiscal year in an amount not exceeding $400,000,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel) whose position would be subject to the Classification Act of 1923, as amended, if such Act were applicable to such position, at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility.

60 Stat. 843.
Ante, p. 1008.

Transfers of funds.

Contract authority.

Salary restriction.

42 Stat. 1488.
5 U. S. C. §§ 661–674.

HOUSING EXPEDITER

Salaries and expenses, Office of the Housing Expediter: For expenses necessary to carry out the functions of the Office of the Housing Expediter, including personal services in the District of Columbia; attendance at meetings of organizations concerned with rent control; hire of passenger motor vehicles; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); not to exceed $5,000 for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); and health service program as authorized by law (5 U. S. C. 150); $15,172,100: *Provided*, That the foregoing amounts may be obligated during the period ending March 31, 1949: *Provided further*, That any employee of the Office of Housing Expediter is authorized and empowered, when designated for the purpose by the Housing Expediter, to administer to or take from any person an oath, affirmation, or affidavit when such instrument is required in connection with the performance of the functions or activities of the Housing Expediter: *And provided further*, That as to cases involving the functions transferred to the Office of the Housing Expediter by Executive Order 9841, section 204 (e) of the Emergency Price Control Act of 1942, as amended, shall be considered as remaining in full force and effect during fiscal year 1949.

60 Stat. 810.

60 Stat. 843.
Ante, p. 1008.
60 Stat. 903.

Administration of oaths, etc.

50 U. S. C., Supp. I, app. § 601 note.
58 Stat. 639.
50 U. S. C., Supp. I, app. § 924 (e).

UNITED STATES MARITIME COMMISSION

Salaries and expenses: For expenses necessary for carrying into effect the Merchant Marine Act, 1936, and other laws administered by the United States Maritime Commission, $68,360,775, within limitations as follows:

Administrative expenses, including personal services in the District of Columbia; printing and binding; not to exceed $2,000 for newspapers and periodicals; not to exceed $18,750 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and not to exceed $1,125 for entertainment of officials of other countries when specifically authorized by the Chairman; in all, not to exceed $10,600,000: *Provided*, That during the fiscal year ending June 30, 1949,

49 Stat. 1985.
46 U. S. C. § 1101 *et seq.*; Supp. I, § 1116a *et seq.*

60 Stat. 810.

the salaries of the Commissioners of the United States Maritime Commission with the exception of the Chairman, shall be at the rate of $10,000 each per annum;

New ship construction, including reconditioning and betterment, $29,000,000; and, in addition, the Commission is authorized to enter into contracts for new ship construction in an amount not to exceed $75,000,000: *Provided*, That all authority granted to incur obligations for these purposes during 1948 and prior fiscal years not exercised prior to July 1, 1948, is hereby revoked, except that not to exceed $99,000,000 of the funds appropriated for "New ship construction, reconditioning, and betterment" in the Independent Offices Appropriation Act, 1948, shall continue to be available until September 30, 1948: *Provided further*, That the Commission may expend amounts to acquire the vessels Mariposa and Monterey and materials and equipment in conjunction therewith on hand or committed for and expend the amounts necessary to complete the vessels, if required for the development and maintenance of the commerce of the United States and for use of the United States in time of war and national emergency, from any amounts available within this limitation;

61 Stat. 603.

Acquisition of certain vessels.

Maintenance of shipyard facilities, $529,000;

Operation of warehouses, $792,000;

Operating-differential subsidies, $16,691,775: *Provided*, That to the extent that the operating-differential subsidy accrual (computed on the basis of parity) is represented on the operator's books by a contingent accounts receivable item against the Commission as a partial or complete offset to the recapture accrual, the operator (1) shall be excused from making deposits in the Special Reserve Fund and, (2) as to the amount of such earnings the deposit of which is so excused, shall be entitled to the same tax treatment as though it had been deposited in said Special Reserve Fund. To the extent that any amount paid to the operator by the Commission reduces the balance in the operator's contingent receivable account against the Commission, such amount, unless it is forthwith deposited in the fund, shall be considered as withdrawn under Section 607 (h) of the Merchant Marine Act, 1936, as amended;

52 Stat. 961.
46 U. S. C. § 1177 (h).

Reserve fleet expense, $9,663,000;

Maintenance and operation of terminals, $585,000;

Miscellaneous expenses, including payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $500,000.

60 Stat. 843.
Ante, p. 1008.

Whenever, in connection with any transaction involving the sale, purchase, or requisition of any vessel, the United States shall be or become obligated to pay any sum to the other party to the transaction and said other party shall be or is indebted to the United States on account of any transaction involving the sale, purchase, or requisition of any vessel the amount so owing to the United States shall be deducted from the amount due the other party, and hereafter no officer or employee of the Government shall pay to such other party a sum greater than the net amount owing the other party.

Transactions involving sale, etc., of vessels.

Maritime training: For training personnel for the manning of the merchant marine (including operation of training stations at Kings Point, New York; Sheepshead Bay, New York; Pass Christian, Mississippi; Saint Petersburg, Florida; and Alameda, California), including not to exceed $3,300,000 for personal services (exclusive of pay of trainees) in the District of Columbia and elsewhere; expenses of attendance at meetings concerned with the work of the Commission when specifically authorized by the Chairman; printing and binding; health service program as authorized by law (5 U. S. C. 150); not to exceed $2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion;

60 Stat. 903.

and not to exceed $126,896 for transfer to applicable appropriations of the Public Health Service for services rendered the Commission; $7,744,000, of which $75,000 shall be available for restoration or repair of buildings at the training station at Pass Christian, Mississippi.

Transfer of funds.

Pass Christian training station, Miss.

State marine schools: To reimburse the State of California, $50,000; the State of Maine, $50,000; the State of Massachusetts, $50,000; and the State of New York, $50,000; for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121–1123); and for the maintenance and repair of vessels loaned by the United States to the said States for use in connection with such State marine schools, $200,000; in all, $400,000.

36 Stat. 1353.

Vessel operating functions: For expenses (other than administrative expenses) necessary for carrying out, until March 1, 1949, the operating functions transferred to the United States Maritime Commission by section 202 of the Naval Appropriation Act, 1947 (60 Stat. 501), $25,483,976: *Provided*, That receipts from such functions during the fiscal year 1949 shall be deposited in the Treasury as miscellaneous receipts.

50 U. S. C. app. § 1291 note.

War Shipping Administration liquidation: The unexpended balance of the appropriation to the Secretary of the Treasury in the Second Supplemental Appropriation Act, 1948, for liquidation of obligations found by the General Accounting Office to have been properly incurred against funds of the War Shipping Administration prior to January 1, 1947, is hereby continued available from July 1, 1948, until June 30, 1949: *Provided*, That hereafter all moneys accruing to the United States Maritime Commission from operations under the War Shipping Administration revolving fund prior to September 1, 1946 (including all moneys received from agent operators), shall be covered into the Treasury as miscellaneous receipts.

61 Stat. 697.

Revolving fund, War Shipping Administration.

Notwithstanding any other provision of this Act, the Commission is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Commission, and payments received by the Commission for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy on account of items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

Furnishing utilities, etc.

The United States Maritime Commission shall not incur any obligations during the fiscal year 1949 from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act: *Provided*, That nothing contained herein and in the Independent Offices Appropriation Act, 1948, shall be construed to affect the authority of the Commission pursuant to the provisions of section 603 (a) of the Merchant Marine Act, 1936, as amended, (1) to grant operating differential subsidies on a long-term basis and (2) to obligate the United States to make future payments in accordance with the terms of such operating-differential subsidy contracts, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That hereafter the Commission may make allowances to purchasers of vessels for cost of putting such vessels in class, such allowances to be determined on the basis of competitive bids, without regard to the provisions of the last paragraph of section 3 (d) of the Merchant Ship Sales Act of 1946.

49 Stat. 1987. 46 U. S. C. § 1116.

61 Stat. 603.

49 Stat. 2002. 46 U. S. C. § 1173 (a).

Allowances to purchasers.

60 Stat. 41. 50 U. S. C. app. § 1736 (d).

VETERANS' ADMINISTRATION

Ante, p. 1035; *post*, p. 1291.

Administration, medical, hospital, and domiciliary services: For necessary expenses of the Veterans' Administration, including maintenance and operation of medical, hospital, and domiciliary services, in carrying out the functions pursuant to all laws for which the Administration is charged with administering, including personal services in the District of Columbia; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; health service program as authorized by law (5 U. S. C. 150); purchase of three hundred and ninety passenger motor vehicles, of which two hundred and twenty-eight shall be for replacement only; utilization of Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as the Administrator may by regulation prescribe; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); maintenance and operation of farms; recreational articles and facilities at institutions maintained by the Veterans' Administration; expenses incidental to securing employment for war veterans; funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration except burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended; the purchase of tobacco to be furnished, subject to regulations of the Administrator, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes; aid to State or Territorial homes in conformity with the Act approved August 27, 1888, as amended (24 U. S. C. 134), for the support of veterans eligible for admission to Veterans' Administration facilities for hospital or domiciliary care; the purchase of printed reduced-fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities; not to exceed $5,765 for newspapers and periodicals; and not to exceed $57,905 for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material, including the purchase or rental of equipment; $936,755,000, from which allotments and transfers may be made to the Federal Security Agency (Public Health Service), the Army, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment: *Provided*, That no part of this appropriation shall be used to pay in excess of one hundred persons engaged in public relations work: *Provided further*, That no part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than $8,534,800 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

60 Stat. 903.

Transportation of school children.

60 Stat. 810.

38 U. S. C. note foll. § 739, p. 4276.
Purchase of tobacco.

Aid to State or Territorial homes.

25 Stat. 450.
Ante, p. 237.

Reduced-fare requests.

Visual educational information.

Public relations work.

Construction, etc., restrictions.

Printing and binding: For printing and binding, $3,148,000.

Tort claims: For payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), $15,000.

60 Stat. 843.
Ante, p. 1008.

Pensions: For the payment of compensation, pensions, gratuities,

and allowances (including subsistence allowances authorized by part VII of Veterans Regulation 1a, as amended), authorized under any Act of Congress, or regulation of the President based thereon, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, and for the payment of adjusted-service credits as provided in sections 401 and 601 of the Act of May 19, 1924, as amended (38 U. S. C. 631 and 661), $1,898,000,000, to be immediately available and to remain available until expended.

57 Stat. 43.
38 U. S. C. note foll. § 739; Supp. I, note foll. § 733.
Ante, pp. 20, 209.

43 Stat. 125, 128.

Readjustment benefits: For the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's Readjustment Act of 1944, $1,979,027,000, to be immediately available and to remain available until expended: *Provided*, That no part of this appropriation for education and training under title II of the Servicemen's Readjustment Act, as amended, shall be expended for tuition, fees, or other charges, or for subsistence allowance, for any course elected or commenced by a veteran on or subsequent to July 1, 1948, and which is determined by the Administrator to be avocational or recreational in character. For the purpose of this proviso, education or training for the purpose of teaching a veteran to fly or related aviation courses in connection with his present or contemplated business or occupation shall not be considered avocational or recreational.

58 Stat. 287, 291, 295.
38 U. S. C. §§ 701, note foll. § 739, 694–694e, 696–696m; Supp. I, § 694 *et seq.*
Ante, pp. 19, 208, 500; *post*, p. 1275.
Tuition, fees, etc.

Military and naval insurance: For military and naval insurance, $5,096,000, to be immediately available and to remain available until expended.

Hospital and domiciliary facilities: For hospital and domiciliary facilities, $202,000,000, to remain available until expended for the payment of obligations heretofore or herein authorized to be incurred under this head, and, in addition, the Administrator of Veterans' Affairs is authorized to incur obligations prior to July 1, 1950, in an amount not exceeding $43,000,000, for extending, with the approval of the President, any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j–k), or in section 101 of the Servicemen's Readjustment Act of 1944 (38 U. S. C. 693a): *Provided*, That the authority contained in the Third Urgent Deficiency Appropriation Act, 1946, and in the Independent Offices Appropriation Act, 1948, to incur obligations for the purposes of this appropriation is hereby extended to July 1, 1950: *Provided further*, That not to exceed 6.7 per centum of the foregoing appropriation and contract authorizations shall be available for the employment in the District of Columbia and in the field of all necessary technical and clerical personnel for the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for all travel expenses, field office equipment, and supplies in connection therewith, except that whenever the Veterans' Administration finds it necessary in the construction of any project to employ other Government agencies or persons outside the Federal service to perform such services not to exceed 10 per centum of the cost of such projects may be expended for such services: *Provided further*, That, notwithstanding any other provision of law, the Administrator of Veterans' Affairs may select a site and construct a hospital thereon in Arlington County, Virginia.

46 Stat. 1550, 1551.

58 Stat. 284.
38 U. S. C., Supp. I, § 693a note.
Ante, p. 161.
60 Stat. 265; 61 Stat. 605.

Technical and clerical personnel.

Arlington County, Va., hospital.

National service life insurance: For the payment of benefits and for transfer to the national service life insurance fund, in accordance with the National Service Life Insurance Act of 1940, as amended, $49,320,000, to be immediately available and to remain available until expended: *Provided*, That certain premiums shall be credited to this appropriation as provided by the Act.

54 Stat. 1008.
38 U. S. C. §§ 801–818; Supp. I, § 802.
Ante, pp. 59, 1109.

Ante, p. 1035.

Soldiers' and sailors' civil relief: For payment of claims as authorized by article IV of the Soldiers' and Sailors' Civil Relief Act amendments of 1942, $65,000, to be immediately and continuously available until expended: *Provided*, That any moneys received as repayment of debts incurred under said article IV shall be credited to this appropriation.

56 Stat. 773.
50 U. S. C. app. §§ 540–548; Supp. I, §§ 540–548 note.
Ante, p. 160.

Veterans' miscellaneous benefits: For the payment of burial awards authorized by Veterans' Administration Regulation Numbered 9 (a), as amended, and for supplies, equipment, and tuition authorized by part VII and payments authorized by part IX of Veterans' Administration Regulation Numbered 1 (a), as amended, $51,883,000, to remain available until expended.

38 U. S. C. note foll. § 739, p. 4276.

57 Stat. 43.
38 U. S. C. note foll. § 739; Supp. I, note foll. § 733.
Ante, pp. 20, 209, 500.

No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans' Affairs.

SURPLUS PROPERTY DISPOSAL

Abolition of War Assets Administration.

Effective February 28, 1949, the Office of War Assets Administrator is abolished and the War Assets Administration shall cease to exist as an agency of the Government and its affairs, functions, and responsibilities shall thereafter be disposed of and liquidated in accordance with the following:

Transfer of powers, etc., to RFC.

(1) All powers, authority, functions, and responsibilities of the War Assets Administrator and of the War Assets Administration pertaining to surplus real property, which as used herein shall mean land and interests in land together with buildings, fixtures, facilities, utilities, equipment, and other property located thereon or adapted to use in connection with such property for its highest and best use, and all right, title, and interest in notes, mortgages, and contracts of sale or lease in connection with surplus real property shall be transferred to the Reconstruction Finance Corporation, to be held and disposed of by such Corporation in accordance, except as provided herein, with the terms of the Surplus Property Act of 1944, as amended;

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.
Aircraft.

(2) All aircraft and aircraft parts shall be transferred to the Department of the Air Force to be held and disposed of by such Department in accordance, except as provided herein, with the terms of the Surplus Property Act of 1944, as amended;

Personal property.

(3) All personal property (other than aircraft and aircraft parts), except such as may be necessary to the liquidation of the War Assets Administration or the exercise of the functions transferred herein, shall be transferred to the Bureau of Federal Supply, Treasury Department, to be held and disposed of by such Bureau in accordance, except as provided herein, with the terms of the Surplus Property Act of 1944, as amended;

Administrative records, etc.

(4) Except as necessary to the administration of the functions herein transferred to the Department of the Air Force, the Reconstruction Finance Corporation, and the Bureau of Federal Supply, all administrative property, records, and accounts of the War Assets Administration shall be transferred to the Treasury Department for liquidation of the affairs of the War Assets Administration;

(5) Such administrative property, records, and personnel of the War Assets Administration as determined by the Director of the Bureau of the Budget to be necessary to the administration of any of the functions herein transferred shall be transferred to the agency to which such function is transferred: *Provided*, That the right to retention in employment by the Government of the personnel so transferred shall be neither greater nor less than such right would have been had

Retention rights of employees.

the War Assets Administration continued as an independent agency of the Government;

(6) The provisions of section 9 of the Reorganization Act of 1945 (Public Law 263, Seventy-ninth Congress) shall apply to the transfers effected by this paragraph in like manner as if such transfer were a reorganization of the agencies and functions concerned under the provisions of that Act;

59 Stat. 617.
5 U. S. C. § 133y-7.

(7) Priorities and preferences provided for in the Surplus Property Act of 1944, as amended, shall not continue beyond August 31, 1948, as to the disposal of personal property but shall continue as to the disposal of real estate;

Priorities and preferences.
58 Stat. 765.
50 U. S. C. app. §§ 1611-1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.

(8) The agencies herein authorized to dispose of surplus personal property may, after the date of enactment hereof, transfer any of such property without charge to any other agency of the Government if such property, by such transfer, can be put to public use by the transferee agency;

Surplus personal property.

(9) The agencies herein authorized to dispose of surplus property shall proceed with due diligence and use all reasonable means within the purview of this Act and the Surplus Property Act of 1944, as amended, to accomplish such purpose at the earliest practicable date and shall report to the Committees on Appropriations of the Senate and the House of Representatives at the end of each month as to progress made;

Report to Congressional committees.

(10) The Secretary of the Treasury, the Secretary of the Air Force, or the Chairman of the Board of Directors of the Reconstruction Finance Corporation may authorize the abandonment, destruction, or donation to public bodies of personal property herein transferred to their respective agencies which has no commercial value or the estimated cost of care and handling of which would exceed the estimated proceeds from its sale;

Destruction, etc., of personal property.

(11) The Surplus Property Act of 1944, as amended, shall not apply to property of the Government which has not been declared surplus under the terms of such Act as of the date of enactment hereof and any such property determined to be surplus shall be disposed of in accordance with the terms of other existing law.

Nonapplicability.

SALARIES AND EXPENSES, WAR ASSETS ADMINISTRATION, SPECIAL FUND

Salaries and expenses: There is hereby appropriated from the special fund account in the Treasury as provided for in the First Deficiency Appropriation Act, 1946, not to exceed $65,000,000, which may be apportioned for obligation during the period ending February 28, 1949, for necessary expenses of the War Assets Administration established by Reorganization Plan Numbered 1 of 1947; for allocation or reimbursement by the War Assets Administrator to Government agencies designated by the Administrator as disposal agencies by or pursuant to law, and for payment to Government agencies designated by the Administrator for rendering special services in connection with the disposal of surplus property, in such amounts as shall be approved by the Bureau of the Budget; and for allocation or reimbursement to owning agencies for the care and handling (including pay and allowances and subsistence of military and naval personnel) of surplus property subsequent to the filing of a declaration of surplus covering such property with a disposal agency designated by the Administrator, or, if the Administrator prescribes procedures whereby declarations of surplus are made at approximately the time of disposal or removal, subsequent to notice by the owning agency to the disposal agency that property has been determined to be surplus and is subject to such procedures, such funds to be available for personal services in the District of Columbia; fees and mileage of witnesses at rates provided

59 Stat. 641.

61 Stat. 952.
5 U. S. C., Supp. I, § 133y-16 note.

Ante, p. 993.

60 Stat. 843.
Ante, p. 1008.
60 Stat. 810.

41 U. S. C. § 5.

60 Stat. 903.

41 U. S. C. § 5.

by law for witnesses attending in the United States courts (28 U. S. C. 600c); payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), and other special services and reports by contract without regard to section 3709 of the Revised Statutes, as amended, including real estate brokers and appraisers at rates of pay or fees not to exceed those usual for similar services; health service program as authorized by law (5 U. S. C. 150), (not to exceed $73,000); acceptance and utilization of voluntary and uncompensated services; printing and binding; expenses of attendance at meetings of organizations concerned with the work of the Administration; procurement of supplies, equipment, reports, and services in connection with the care, handling, and disposition of surplus property without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon determination by the Administrator or by any official designated by him for this purpose that such method of procurement is necessary; purchase and procurement of reports of experts or consultants or organizations thereof; advertising, including radio time; maintenance, operation, and repair of aircraft in the Territories and possessions in connection with disposal activities and, in the continental limits of the United States in connection with the disposition of aircraft and airports; acquisition of buildings, lands, leaseholds, and other interests therein, and temporary use thereof for the care, handling, and disposition of surplus property; payments to States or political subdivisions thereof of sums in lieu of taxes accruing against real property declared surplus to the Administration by Government corporations; advance of funds to Administration cashiers and collection officials upon furnishing bond, for the purpose of handling cash transactions and making change at surplus property sales: *Provided*, That any employee of the War Assets Administration is authorized, when designated for the purpose by the Administrator, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of the War Assets Administration: *Provided further*, That the Administration may procure by contract or otherwise and furnish to governmental employees and employees of Government contractors at the reasonable value thereof food, meals, subsistence, and medical supplies, emergency medical services, quarters, heat, light, household equipment, laundry service, and sanitation facilities, and erect temporary structures and make alterations in existing structures necessary for these purposes, when such employees are engaged in the disposal of surplus property, or in the preparation for such disposal, at locations where such supplies, services, equipment, or facilities are otherwise unavailable, the proceeds derived therefrom to be credited to this appropriation.

Administration of oaths, etc.

Services to employees.

GENERAL PROVISIONS

Persons engaging, etc., in strikes against or advocating overthrow of U. S. Government.

SEC. 102. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the

Affidavit.

Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Penalty.

SEC. 103. The funds appropriated herein shall be subject to the general provisions of titles I and II of the Independent Offices Appropriation Act, 1949, and shall be available for examination of appropriation estimates in the field.

Ante, pp. 177, 193.

SEC. 104. Section 207 of the Independent Offices Appropriation Act, 1949, is hereby amended to read as follows:

Ante, p. 194.

"SEC. 207. Any appropriations or funds available to the executive departments, independent establishments, and wholly owned Government corporations for the payment of salaries and compensation to persons stationed outside the continental United States or in Alaska whose rates of basic compensation are fixed by statute, shall be available for the payment of additional compensation to such persons, based on living costs substantially higher than in the District of Columbia, or conditions of environment which differ substantially from conditions of environment in the States and warrant additional compensation as a recruitment incentive, or both such factors: *Provided*, That such additional compensation, except as otherwise specifically authorized by law, shall be paid only in accordance with regulations prescribed by the President establishing rates of such additional compensation and defining the area, groups of positions, and classes of persons to which each such rate applies: *Provided further*, That no additional compensation based on living costs substantially higher than in the District of Columbia shall be paid under this section to any person who is entitled to receive a cost-of-living allowance under section 901 (2) of the Foreign Service Act of 1946 or section 204 of this Act: *Provided further*, That such additional compensation shall not exceed in any instance 25 per centum of the rate of basic compensation: *Provided further*, That this section shall be effective sixty days after the date of approval of this Act, or on such earlier date as may be specified in regulations issued by the President hereunder, and additional compensation payable under regulations and procedures in effect on the date of approval of this Act may continue to be paid until the effective date of this section."

Employment outside continental U. S.

Additional compensation.

Restriction.

60 Stat. 1026.
22 U. S. C. § 1131 (2).
Ante, p. 194.

Effective date.

SEC. 105. The last paragraph under the heading "Public Buildings Administration" in Public Law 491, Eightieth Congress, is hereby amended to read as follows:

Ante, p. 184.

"No part of the foregoing appropriations to the Federal Works Agency shall be used for the purpose of converting any existing coal heating units to oil or natural gas in any federally owned or rented buildings in or outside the District of Columbia where there is a fuel oil shortage."

Converting from coal to oil, etc.

SEC. 106. This Act may be cited as "The Supplemental Independent Offices Appropriation Act, 1949."

Short title.

Approved June 30, 1948.

[CHAPTER 783]

AN ACT

July 1, 1948
[H. R. 3566]
[Public Law 863]

To amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes.

Immigration Act of 1917, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (54 Stat. 671; 56 Stat. 1044; 8 U. S. C. 155 (c)), is further amended to read as follows:

Deportable aliens of good character.

"(c) In the case of any alien (other than one to whom subsection (d) is applicable) who is deportable under any law of the United States and who has proved good moral character for the preceding five years, the Attorney General may (1) permit such alien to depart the United States to any country of his choice at his own expense, in lieu of deportation; or (2) suspend deportation of such alien if he is not ineligible for naturalization or if ineligible, such ineligibility is solely by reason of his race, if he finds (a) that such deportation would result in serious economic detriment to a citizen or legally resident alien who is the spouse, parent, or minor child of such deportable alien; or (b) that such alien has resided continuously in the United States for seven years or more and is residing in the United States upon the effective date of this Act. If the deportation of any alien is suspended under the provisions of this subsection for more than six months, a complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such suspension. These reports shall be submitted on the 1st and 15th day of each calendar month in which Congress is in session. If during the session of the Congress at which a case is reported, or prior to the close of the session of the Congress next following the session at which a case is reported, the Congress passes a concurrent resolution stating in substance that it favors the suspension of such deportation, the Attorney General shall cancel deportation proceedings. If prior to the close of the session of the Congress next following the session at which a case is reported, the Congress does not pass such a concurrent resolution, the Attorney General shall thereupon deport such alien in the manner provided by law. Deportation proceedings shall not be canceled in the case of any alien who was not legally admitted for permanent residence at the time of his last entry into the United States, unless such alien pays the Commissioner of Immigration and Naturalization a fee of $18 (which fee shall be deposited in the Treasury of the United States as miscellaneous receipts). Upon the cancellation of such proceedings in any case in which fee has been paid the Commissioner shall record the alien's admission for permanent residence as of the date of his last entry into the United States and the Secretary of State shall, if the alien was a quota immigrant at the time of entry and was not charged to the appropriate quota, reduce by one the immigration quota of the country of the alien's nationality as defined in section 12 of the Act of May 26, 1924 (U. S. C., title 8, sec. 212), for the fiscal year then current at the time of cancellation or the next following year in which a quota is available: *Provided*, That no quota shall be reduced by more than 50 per centum in any fiscal year."

Report to Congress.

Cancellation of deportation proceedings.

Recording alien's admission for permanent residence.

Quota deduction.

43 Stat. 160.

Approved July 1, 1948.

[CHAPTER 784]

AN ACT

July 1, 1948
[S. 2790]
[Public Law 864]

To amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

Federal National Mortgage Association.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the

National Housing Act, as amended, is hereby amended to read as follows: 48 Stat. 1252. 12 U. S. C. §§ 1716-1723. *Post*, p. 1275.

"TITLE III—FEDERAL NATIONAL MORTGAGE ASSOCIATION

"CREATION AND POWERS OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

"SEC. 301. (a) The Administrator is further authorized and empowered to provide for the establishment of a Federal National Mortgage Association (hereinafter referred to as the "Association") which shall be authorized, subject to such rules and regulations as may be prescribed by the Association—

"(1) to purchase, service, or sell any mortgages, which are insured after April 30, 1948, under section 203 or section 603 of this Act, or guaranteed under section 501, 502, or 505 (a) of the Servicemen's Readjustment Act of 1944, as amended: *Provided, however*, That— Purchase, etc., of mortgages; conditions. *Post*, p. 1275. 48 Stat. 1248; 55 Stat. 56. 12 U. S. C. §§ 1709, 1738; Supp. I, § 1738. *Ante*, p. 101; *post*, pp. 1272, 1273, 1268. 58 Stat. 292, 293. 38 U. S. C. §§ 694a, 694b, 694e (a).

"(A) no mortgage shall be offered to the Association for purchase by, or if it covers property held by, Federal, State, or municipal instrumentalities;

"(B) no mortgage may be purchased for an amount exceeding the unpaid principal balance thereof, plus accrued interest, at the time of purchase;

"(C) no mortgage shall be offered to the Association for purchase if the original principal obligation of the loan exceeds or exceeded $10,000 for each family residence or dwelling unit covered by the mortgage or other lien securing the loan;

"(D) no mortgage shall be offered to the Association for purchase unless offered by the original mortgagee prior to any other sale thereof;

"(E) no mortgage shall be offered to the Association for purchase by any one mortgagee (1) unless such mortgage is secured by property used, or designed to be used, for residential purposes and (2) if the unpaid principal balance thereof, when added to the aggregate amount paid for all mortgages purchased by the Association from such mortgagee pursuant to authority contained herein, exceeds 25 per centum of the original principal amount of all mortgages made by such mortgagee which, except for this subparagraph (E), meet the requirements of this section. *Post*, p. 1275.

"(F) no mortgage shall be purchased by the Association unless the mortgagee certifies that the housing with respect to which the mortgage was made meets the construction standards prescribed for insurance of mortgages on the same class of housing under the National Housing Act, as amended.

"(2) to borrow money for any of the foregoing purposes through the issuance of notes or other such obligations as hereinafter provided. Borrowing of money.

"(b) The Federal National Mortgage Association, a subsidiary of the Reconstruction Finance Corporation and established pursuant to the provisions of this title as in effect prior to June 1, 1948, shall be the Association referred to in subsection (a) of this section. The Board of Directors of the Association shall consist of not less than five persons to be appointed by the Chairman of the Board of Directors of the Reconstruction Finance Corporation, or the Acting Chairman in the case of a vacancy in the office of Chairman, from the Directors, officers, or employees of such Corporation and the officers shall be appointed by the Board of Directors from the Directors, officers, or employees of the Reconstruction Finance Corporation. Board of directors.

Powers of Association.

"(c) The Association created under this section shall have succession from the date of its organization unless it is dissolved by order of the Administrator as hereinafter provided, or by Act of Congress, and shall have power—

"(1) to adopt and use a corporate seal;

"(2) to make contracts;

"(3) to sue and be sued; complain and defend, in any court of law or equity, State or Federal;

"(4) to conduct its business in any State of the United States, or in the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands, and to have one or more offices in such State, or in the District of Columbia, Alaska, Hawaii, or Puerto Rico, one of which offices shall be designated at the time of organization as its principal office;

"(5) to do all things as are necessary or incidental to the proper management of its affairs and the proper conduct of its business.

Capital stock.

"(d) The Association may have a capital stock of not to exceed $20,000,000 and paid-in surplus of $1,000,000, subscribed by the Reconstruction Finance Corporation.

"(e) The Association, for the purpose of all actions by or against it, real, personal, or mixed, and all suits in equity, shall be deemed a citizen of the place in which its principal office is located.

Restriction on use of term.

"(f) No individual, association, partnership, or corporation, except the Association organized under this section, shall hereafter use the words 'Federal National Mortgage Association' or any combination of such words, as the name or a part thereof under which he or it shall do business. Every individual, partnership, association, or corporation violating this prohibition shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding $100 or imprisonment not exceeding thirty days, or both, for each day during which such violation is committed or repeated. The provisions of section 5243 of the Revised Statutes shall not apply to the Association created under this title.

12 U. S. C. § 583.

"OBLIGATIONS

"SEC. 302. The Association is authorized to issue and have outstanding at any time notes or other obligations in an aggregate amount not to exceed (1) forty times the amount of its capital and surplus, and in no event to exceed (2) the current unpaid principal of mortgages held by it and insured under the provisions of titles II and VI of this Act and guaranteed under section 501, 502, or 505 (a) of the Servicemen's Readjustment Act of 1944, as amended, plus the amount of its cash on hand and on deposit and the amortized value of its investments in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States.

48 Stat. 1247; 55 Stat. 55.
12 U. S. C. §§ 1707-1715c, 1736-1742; Supp. I, §§ 1737, 1738.
Ante, p. 101; *post*, pp. 1209, 1268-1275.

"INVESTMENT OF FUNDS

"SEC. 303. Moneys of the Association not invested in mortgages or in operating facilities shall be kept in cash on hand or on deposit, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States; except that the Association shall keep and maintain such reserves as it may deem necessary.

"TAXATION PROVISIONS

"SEC. 304. The Association, including its franchise, capital, reserves, surplus, mortgage loans, income, and stock shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the

Association shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

"MANAGEMENT OF ACQUIRED PROPERTIES

"SEC. 305. The Association shall have power to deal with, rent, renovate, modernize, or sell for cash, with a view to assuring a maximum financial return to the Association, any property acquired by it as a result of foreclosure proceedings or otherwise.

"LIQUIDATION

"SEC. 306. The Administrator shall have power to terminate the existence of the Association and order its liquidation and the winding up of its affairs whenever the Administrator determines, in his judgment, that the need therefor no longer exists. The Association shall make a report of its activities to the Administrator in January and July of each year for the preceding six months' period, which report shall be transmitted to the Congress, together with the Administrator's recommendations thereon."

Report to Congress.

SEC. 2. Nothing in the amendment made by the first section of this Act shall limit the authority of the Federal National Mortgage Association to service or sell any mortgage purchased prior to the date of the enactment of this Act, or to purchase, service, or sell any mortgage with respect to which a commitment to purchase was made prior to the date of the enactment of this Act.

SEC. 3. Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out "$1,500,000,000" and inserting in lieu thereof "$2,000,000,000".

Ante, p. 264.

SEC. 4. Section 4 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by adding at the end thereof a new subsection reading as follows:

Ante, p. 263.

"(h) The Corporation may subscribe for the nonassessable stock of the Federal National Mortgage Association: *Provided*, That the total face amount of stock so subscribed for and held by the Corporation shall not exceed at any one time $20,000,000."

Nonassessable stock.

SEC. 5. The Servicemen's Readjustment Act of 1944, as amended, is hereby amended by inserting immediately after section 510 thereof the following new section:

58 Stat. 284; 59 Stat. 631.
38 U. S. C. §§ 693–697g; Supp. I, § 693 *et seq.*
Ante, pp. 160, 161, 472; *post*, p. 1275.

"INCONTESTABILITY

"SEC. 511. Any evidence of guaranty or insurance issued by the Administrator shall be conclusive evidence of the eligibility of the loan for guaranty or insurance under the provisions of this title and of the amount of such guaranty or insurance, except that nothing in this section shall preclude the Administrator from establishing, as against the original lender, defenses based on fraud or material misrepresentation, and except that the Administrator shall not, by reason of anything contained in this section, be barred from establishing, by regulations in force at the date of such issuance or disbursement, whichever is the earlier, partial defenses to the amount payable on the guaranty or insurance."

SEC. 6. Section 207 (c) (2) of the National Housing Act, as amended, is hereby amended as follows:

53 Stat. 807.
12 U. S. C. § 1713 (c) (2).
Post, p. 1273.

(1) By striking out the semicolon and the word "and" at the end of paragraph numbered (2), inserting in lieu thereof a colon, and adding the following new proviso: "*And provided further*, That, notwithstanding any of the provisions of this paragraph (2), a mortgage with respect to a project of a nonprofit cooperative ownership housing

Nonprofit cooperative ownership project.

corporation (whose membership consists primarily of veterans of World War II) the permanent occupancy of the dwellings of which is restricted to members of such corporation, or a project constructed by a nonprofit corporation (whose membership consists primarily of veterans of World War II) organized for the purpose of construction of homes for members of the corporation, at prices, costs, or charges comparable to the prices, costs, or charges proposed to be charged such members, may involve a principal obligation in an amount not exceeding 95 per centum of the amount which the Administrator estimates will be the value of the project when the proposed improvements are completed; and".

Approved July 1, 1948.

[CHAPTER 785]

AN ACT

July 1, 1948
[S. 2861]
[Public Law 865]

To assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain veterans.

Republic of the Philippines.
Grants-in-aid for medical care.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to assist the Republic of the Philippines in providing medical care and treatment for veterans, as defined in section 2 of this Act, who are in need of hospitalization for disabilities, determined by the Veterans' Administration under laws which it administers to be connected with the service described in such section, the President is authorized, subject to the provisions of this Act, to furnish aid in the form of grants to the Republic of the Philippines (a) for the construction and equipping of hospitals in the Philippines to be used exclusively for such medical care and treatment and (b) for expenses incident to such medical care and treatment in either the hospitals so constructed and equipped or other hospitals in the Philippines.

"Veterans."

SEC. 2. For the purposes of section 1 of this Act, the term "veterans" means persons who served in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable.

Times and amounts of grants.

SEC. 3. Any grant for the construction and equipping of a hospital may be made prior to or following its completion: *Provided*, That the total of such grants shall not exceed $22,500,000.

SEC. 4. Grants for expenses incident to hospitalization may be made for a period not to exceed five years to reimburse the Republic of the Philippines for moneys expended for such hospitalization: *Provided*, That the total of such grants shall not exceed $3,285,000 for any fiscal year.

Rules and regulations.

SEC. 5. The President may from time to time prescribe such rules and regulations and impose such conditions on the receipt of financial aid as may be necessary to carry out the provisions of this Act; and he may delegate in whole or in part the authority conferred upon him by this Act to any officer or officers of the United States.

Appropriations authorized.

SEC. 6. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

Approved July 1, 1948.

[CHAPTER 786]

JOINT RESOLUTION

July 1, 1948
[S. J. Res. 219]
[Public Law 866]

To continue until March 1, 1949, the authority of the United States Maritime Commission to make provision for certain ocean transportation service to, from, and within Alaska.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of March 7, 1947, entitled "Joint resolution to authorize the United States Maritime Commission to make provision for certain ocean transportation service to and from Alaska until July 1, 1948, and for other purpose", is amended to read as follows: "That it is the intention of the Congress to assist in providing essential water transportation service for the Territory of Alaska pending the determination of a long-range policy with respect to such transportation.

U. S. Maritime Commission.
Ocean transportation for Alaska.

61 Stat. 10.
46 U. S. C., Supp. I, § 866 note.

"SEC. 2. (a) The United States Maritime Commission is authorized to enter into contracts, charters, and other arrangements deemed by it to be appropriate, with American citizens, deemed by the Commission to be qualified, to supply ocean transportation service with American-flag vessels to, from, and within Alaska. Such contracts, charters, or arrangements may include provisions for making available to such operators Government-owned vessels made available to the Commission for such purposes and vessels under the control or jurisdiction of the Commission for operation on voyages commencing not later than March 1, 1949. Such provisions may include (1) charter hire at a nominal rate; (2) such marine insurance to be provided by the Commission, as the Commission may determine to be necessary or appropriate as to vessels made available by the Commission and other vessels operated in the Alaska service under contracts, charters, or arrangements with the Commission; (3) requirements that the operators shall operate such vessels to secure the most economical transportation adequate for the Alaska service; and (4) such other requirements, terms, and conditions as the Commission may deem appropriate.

Contract, etc., authority and provisions.

"(b) Each such contract, charter, or arrangement shall provide that, as of the end of each accounting period, the cumulative gross profit, before overhead expenses, from the operation of vessels thereunder, as approved by the Commission, shall be allocated as follows and in the following order:

Allocation of gross profit.

"(1) To provide for the operator's proportionate share of the expenses of all operators of maintaining a survey of Alaska ocean transportation services and of the costs and methods of operation of operators in said services, in accordance with a program approved by the Commission;

"(2) To allow compensation to the operator for working capital, use of facilities other than operator-owned vessels, and overhead expenses, on such bases as the Commission may determine; and such bases may be fixed in terms of a percentage or percentages, deemed by the Commission to be reasonable, of vessel operating revenues;

"(3) To allow the operator a return at the rate of 10 per centum per annum, before Federal income taxes, on the fair value of operator-owned vessels used in the Alaska service;

"(4) Any profit remaining thereafter, at the conclusion of each accounting period, shall be held in a special account. At the end of the second and each succeeding accounting period, if any, such account shall be available for paying any then cumulative deficiency (covering the period from the commencement of operations hereunder) with respect to any amounts which, if earned, would have

Special account.

theretofore been allocated pursuant to the previous paragraphs of this subsection;

"(5) At the conclusion of operations under any such contract, charter, or other arrangement, any balance in said special account shall be promptly divided and paid 75 per centum to the Commission and 25 per centum to the operator.

"(c) The Commission may incorporate in each such contract, charter, or arrangement such definitions and formulas for the determinations of vessel-operating revenue, gross profit before overhead expenses, overhead expenses, accounting periods, fair value, and depreciation, as it may deem necessary or appropriate to carry out the other provisions of this subsection and of this joint resolution. The Commission's determination of the value of operator-owned vessels, for the purposes of such contract, charter, or other arrangement, shall be for the purposes of this joint resolution only and shall not be relevant evidence in any regulatory proceeding before the Commission.

Cancellation of contract, etc.

"SEC. 3. (a) Every contract, charter, or arrangement made under this joint resolution shall expressly reserve to the Commission, after reasonable notice to the operator and affording him opportunity for hearing if the Commission determines that it is in the public interest so to do, the right to cancel the same upon reasonable notice of such cancellation but not less than ninety days. Such contract, charter, or arrangement shall also reserve to the operator the right to request the Commission to modify or cancel the same for good cause shown, and if the Commission shall determine that the operator's claim is justified, it may make such modification or shall permit such cancellation at such time thereafter as it may consider reasonable but not more than ninety days after such determination.

Termination of contract, etc.

"(b) Whenever the President shall proclaim that the security of the national defense makes it advisable, or during any national emergency declared by proclamation of the President, the Commission may terminate any contract, charter, or arrangement hereunder, without cost to the United States, upon such notice to the operator as the President shall determine.

Nonlimitation.

"(c) Nothing contained in this joint resolution shall be construed to limit the right of the Commission to enter into other contracts, charters, or arrangements with new or other operators, if after such notice, investigation, or consultation as the Commission may deem necessary or appropriate in the particular case, but without the necessity of hearings, the Commission shall determine such action to be in the interest of the economy of the Territory of Alaska or of the national defense.

"Vessels."

"SEC. 4. The word 'vessels' as used in the joint resolution shall include such passenger vessels, freight vessels, combination freight and passenger vessels, tugs, barges, and other watercraft, as shall, in the discretion of the Commission, be deemed suitable for use in ocean transportation to, from, and within Alaska.

"SEC. 5. The provisions of this joint resolution, as amended, shall not, prior to July 1, 1948, affect the operation of contracts, charters, or other arrangements in accordance with their terms in effect on the date of enactment of this amendatory section, unless superseded before July 1, 1948, by contracts, charters, or arrangements entered into under this joint resolution, as amended."

Approved July 1, 1948.

[CHAPTER 787]

AN ACT

To authorize an increase in the annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory.

July 1, 1948
[S. 2341]
[Public Law 867]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratary", approved May 7, 1928 (45 Stat. 491), is amended by striking out "$50,000" and inserting in lieu thereof "not to exceed $150,000."

Gorgas Memorial Laboratory.
Ante, pp. 308, 1046.

22 U. S. C. § 278.

Approved July 1, 1948.

[CHAPTER 788]

AN ACT

To increase the rates of service-connected death compensation payable to certain widows, children, and dependent parents of persons who served in the active military or naval service, and for other purposes.

July 1, 1948
[S. 2825]
[Public Law 868]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph IV of part I of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

Compensation to certain dependents of deceased veterans.
38 U. S. C. note foll. § 739, p. 4265.

"The surviving widow, child or children, and dependent mother or father of any deceased person who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided in part I, paragraph I hereof, shall be entitled to receive compensation at the monthly rates specified next below:

Ante, p. 581.

"Widow but no child, $75; widow with one child, $100 (with $15 for each additional child); no widow but one child, $58; no widow but two children, $82 (equally divided); no widow but three children, $106 (equally divided) (with $20 for each additional child; total amount to be equally divided); dependent mother or father, $60 (or both), $35 each."

SEC. 2. Subparagraph (c), paragraph I, part II, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

38 U. S. C. note foll. § 739, p. 4265; Supp. I, note foll. § 733.

"(c) Any veteran or the dependents of any deceased veteran otherwise entitled to compensation under the provisions of part II of this regulation or the general pension law shall be entitled to receive the rate of compensation provided in part I of this regulation, if the disability or death of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, or (2) while engaged in extrahazardous service, including such service under conditions simulating war, or (3) while the United States is engaged in war."

SEC. 3. Paragraph III of part II of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

38 U. S. C. note foll. § 739, p. 4266.

"The surviving widow, child or children, and dependent mother or father of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service as provided for in part II, paragraph I hereof, shall be entitled to receive compensation at 80 per centum of the rates specified for such dependents in paragraph IV, part I hereof, as now or hereafter amended."

Supra.

SEC. 4. The increases provided by this Act shall be effective from the first day of the second month following the passage of this Act.

Effective date.

Approved July 1, 1948.

[CHAPTER 789]

JOINT RESOLUTION

July 1, 1948
[H. J. Res. 429]
[Public Law 869]

Relating to the marital deduction, for estate-tax purposes, in the case of life insurance or annuity payments.

Internal Revenue Code, amendment.
Ante, pp. 117, 118.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 812 (e) (1) (G) of the Internal Revenue Code (relating to life insurance with power of appointment in surviving spouse) is hereby amended to read as follows:

"(G) Life Insurance or Annuity Payments With Power of Appointment in Surviving Spouse.—In the case of an interest in property passing from the decedent consisting of proceeds under a life insurance, endowment, or annuity contract, if under the terms of the contract such proceeds are payable in installments or are held by the insurer subject to an agreement to pay interest thereon (whether the proceeds, upon the termination of any interest payments, are payable in a lump sum or in annual or more frequent installments), and such installment or interest payments are payable annually or at more frequent intervals, commencing not later than thirteen months after the decedent's death, and all amounts payable during the life of the surviving spouse are payable only to such spouse, and such spouse has the power to appoint all amounts payable under such contract (exercisable in favor of such surviving spouse, or of the estate of such surviving spouse, or in favor of either, whether or not in each case the power is exercisable in favor of others), with no power in any other person to appoint to any person other than the surviving spouse any part of the amounts payable under such contract—

"(i) such proceeds shall, for the purposes of subparagraph (A), be considered as passing to the surviving spouse, and

"(ii) no part of such proceeds shall, for the purposes of subparagraph (B) (i), be considered as passing to any person other than the surviving spouse.

This subparagraph shall be applicable only if, under the terms of the contract, such power in the surviving spouse to appoint, whether exercisable by will or during life, is exercisable by such spouse alone and in all events."

Applicability.

SEC. 2. The amendment made by this joint resolution shall be applicable with respect to estates of decedents dying after December 31, 1947.

Approved July 1, 1948.

[CHAPTER 790]

AN ACT

July 1, 1948
[H. R. 2352]
[Public Law 870]

To provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees, and to provide for the sale of certain lands to the Board of County Commissioners of Comanche County, Oklahoma, and for other purposes.

Crow Indian Tribe.
Sale of inherited lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request of the Crow General Council or a committee empowered to act for it, the Secretary of the Interior, or his duly authorized representative, may execute an order transferring interests in inherited lands to the United States in trust for the Crow Tribe, provided (a) tribal funds of the Crow Tribe are available for payment of the purchase price,

(b) a request is presented in writing by or for the heirs as provided in the Crow Act of June 8, 1940 (54 Stat. 252), and the appraised value as determined by the General Council or said committee is accepted by or for the heirs as above provided. The accrued irrigation operation and maintenance charges, if any, which are a lien on the land may remain as a charge against the land and the amount thereof shall be considered in determining the appraised value of the interests. In transferring interests the Secretary of the Interior, or his duly authorized representative, shall give preference so far as possible to transfers to the tribe of interests in estates having the largest number of heirs.

Preference to heirs of deceased.

SEC. 2. Upon request of the General Council or said committee, the Secretary of the Interior, or his duly authorized representative, may approve the sale to any Crow Indian of any lands, title to which is taken in the name of the United States in trust for the Crow Tribe under the first section of this Act, but preference in the sale of any such lands so far as possible shall be given to individual heirs of the deceased allottee with the largest interests. Such sale shall not include any mineral interests belonging to the tribe. Upon payment of the purchase price, the Secretary, or his duly authorized representative, shall, and he is hereby authorized to, convey by appropriate order the interest of the tribe in and to such lands to the purchaser thereof in trust, and such lands shall continue to be nontaxable so long as the lands remain in restricted status. In any case in which irrigation operation and maintenance charges have accrued against the lands sold under this section and remain unpaid at the time of such sale, the obligation to pay such charges shall be assumed by the purchaser. Such charges may be deferred for ten years and the purchaser shall pay such charges in ten equal, annual installments, commencing with the eleventh year.

Deferment of irrigation charges.

Reacquisition and resale of land.

SEC. 3. Interests in lands acquired by the Crow Tribe and sold to one of its members in accordance with the provisions of sections 1 and 2 of this Act may again be acquired and sold pursuant to the same provisions.

Comanche County, Okla. Sale of land.

SEC. 4. That the Secretary of the Interior with the consent, in writing, of the tribal council representing the Indians of the Kiowa, Comanche, and Apache Reservation, is hereby authorized and directed to sell and convey to the Board of County Commissioners of Comanche County, Oklahoma, for public purposes, to wit: A site for a county hospital for said county upon such terms and conditions as he may prescribe—ten acres from the north one-half of section 30, township 2 north, range 11 west, Indian meridian, and more definitely described as follows:

The southeast quarter of the southeast quarter of the northwest quarter of said section 30, township 2 north, range 11 west, Indian meridian: *Provided*, That out of the proceeds of such sale the sum of $1.25 per acre shall be credited to the general fund of the United States Treasury and the balance shall be deposited in the United States Treasury to the credit of the tribal fund of Indians of the said Kiowa, Comanche, and Apache Reservation.

Credit of proceeds.

Approved July 1, 1948.

[CHAPTER 791]

AN ACT

July 1, 1948
[H. R. 4272]
[Public Law 871]

To provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the armed forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes.

Deceased veterans. Headstones or markers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary

of the Army is authorized and directed to furnish appropriate Government headstones or markers for the unmarked graves of soldiers of the Union and Confederate Armies of the Civil War, and for the unmarked graves of all members of the armed forces of the United States dying in the service, or former members whose last service terminated honorably; and for all unmarked graves in post and national cemeteries. The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are authorized and directed to compile a list of the names of all members of the armed forces of the United States who died while serving in such forces in the overseas theaters of operations on or after September 3, 1939, and whose bodies have not been recovered or identified or have been buried at sea. Upon the compilation of such list of names and other appropriate data, the American Battle Monuments Commission and the Secretary of the Army are authorized and directed to provide for the inscribing of each such name and pertinent data with respect to the individual on the wall of a chapel or other appropriate memorial erected by the American Battle Monuments Commission or by the Department of the Army. In determining the particular chapel or other memorial on the wall of which any particular name shall be inscribed, the Commission and the Secretary shall follow the general rule of having the name inscribed upon the wall of that chapel or other memorial which is appropriate in view of the circumstances under which the deceased died in the service of his country.

Compilation of list.

Inscription of name on memorial.

Rules and regulations.

SEC. 2. The Secretary of the Army is authorized and directed to make rules and regulations concerning the type, design, weight, and size of headstones erected in all cemeteries under his control and jurisdiction, and of all headstones or markers furnished pursuant to the provisions of this Act.

Preservation of records.

SEC. 3. The Secretary of the Army shall cause to be preserved in the records of his office, the names when known, and places of burial of all persons for whom headstones or markers are authorized by section 1 of this Act. The rank, organization, date of death, and such other information as the Secretary of the Army prescribes shall be included in the record.

Repeals.

SEC. 4. The following laws are hereby repealed: Act of February 3, 1879 (ch. 44, 20 Stat. 281, U. S. C., title 24, sec. 280); Act of February 26, 1929 (ch. 324, 45 Stat. 1307, U. S. C., title 24, sec. 280a); Act of April 18, 1940 (ch. 109, 54 Stat. 142, U. S. C., title 24, sec. 280b).

Approved July 1, 1948.

[CHAPTER 792]

AN ACT

July 1, 1948
[H. R. 4435]
[Public Law 872]

To amend the Civil Aeronautics Act of 1938 by redefining certain powers of the Administrator, by authorizing delegation of certain powers by the Civil Aeronautics Board to the Administrator, and for other purposes.

Civil Aeronautics Act of 1938, amendment.
52 Stat. 985.
49 U. S. C. § 452 (a).
Ante, p. 1093.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 (a) of the Civil Aeronautics Act of 1938, as amended, is amended to read as follows:

"GENERAL

Civil airways.

"SEC. 302. (a) The Administrator is authorized and directed to designate and establish such civil airways as may be required in the public interest. The Administrator is authorized, within the limits of available appropriations made by the Congress, (1) to acquire, establish, and improve air-navigation facilities wherever necessary; (2) to operate and maintain such air-navigation facilities; (3) to

arrange for publication of aeronautical maps and charts necessary for the safe and efficient movement of aircraft in civil air navigation utilizing the facilities and assistance of existing agencies of the Government so far as practicable; and (4) to provide necessary facilities and personnel for the regulation and protection of air traffic. In exercising the authority granted in this subsection, the Administrator shall give full consideration to the requirements of National Defense."

SEC. 2. Section 302 of the Civil Aeronautics Act of 1938, as amended, is amended by striking out subsection (c) of such section and by inserting in lieu thereof the following subsections: 52 Stat. 985. 49 U. S. C. § 452 (c).

"ACQUISITION AND DISPOSAL OF PROPERTY

"(c) The Administrator, on behalf of the United States, is authorized, where appropriate to carry out this section, (1) to accept any conditional or unconditional gift or donation of money or other property, real or personal, or of services; (2) within the limits of available appropriations made by the Congress therefor, to acquire by purchase, condemnation, lease, or otherwise, real property or interests therein, including, in the case of air-navigation facilities (including airports) owned by the United States and operated under the direction of the Administrator, easements through or other interests in airspace immediately adjacent thereto and needed in connection therewith; and (3) for adequate compensation, by sale, lease, or otherwise, to dispose of any real or personal property or interests therein, so acquired. Any such acquisition by condemnation may be made in accordance with the provisions of the Act of August 1, 1888 (40 U. S. C. 257; 25 Stat. 357), the Act of February 26, 1931 (40 U. S. C. 258a–258e; 46 Stat. 1421), or any other applicable Act of Congress: *Provided*, That in the case of condemnations of easements through or other interests in airspace, in fixing condemnation awards, consideration may be given to the reasonable probable future use of the underlying land." Acceptance of gifts, etc. *Ante*, p. 986.

SEC. 3. Title III of the Civil Aeronautics Act of 1938, as amended, is amended by adding at the end thereof a new section as follows: 52 Stat. 985. 49 U. S. C. §§ 451–458. *Ante*, p. 1093.

"POWER TO CONDUCT HEARINGS AND INVESTIGATIONS

"SEC. 309. In the conduct of any public hearings or investigations authorized by this Act or by the Federal Airport Act, the Administrator or any duly designated examiner shall have the same powers to take evidence, issue subpenas, take depositions, and compel testimony as are vested in members of the Board and its duly designated examiners by section 1004 of this Act. Actions of the Administrator or his examiners in such cases shall be governed by the procedures specified in section 1004, and be enforced in the manner provided therein." 60 Stat. 170. 49 U. S. C. §§ 1101–1119. *Ante*, pp. 173, 1111. 52 Stat. 1021. 49 U. S. C. § 644.

SEC. 4. Section 601 of the Civil Aeronautics Act of 1938, as amended, is amended by adding thereto a new subsection as follows: 52 Stat. 1007. 49 U. S. C. § 551.

"Delegation of Authority

"(c) The Civil Aeronautics Board, subject to such terms, conditions, and limitations as the Board may specify, is empowered to delegate to the Administrator the power or authority to prescribe rules, regulations, and standards under this title and to perform functions authorized under section 702 of this Act. The Board may modify, suspend, revoke, or terminate such power or authority so delegated by it to the Administrator and may prescribe by rules and regulations such provisions and procedures for review of actions taken by the Administrator under authority delegated hereunder as it may deem 52 Stat. 1013. 49 U. S. C. § 582.

necessary and appropriate in the public interest. Except as specifically provided in the rules and regulations of the Board, the filing of a petition for review shall not excuse any person from complying with the action of the Administrator nor operate in any manner to stay the enforcement of such action: *Provided*, That nothing in this subsection shall be construed as amending, modifying, or repealing any provision of the Administrative Procedure Act."

60 Stat. 237.
5 U. S. C. §§ 1001–1011; Supp. I, § 1001.
Ante, p. 99.

Approved July 1, 1948.

[CHAPTER 793]

AN ACT

July 1, 1948
[H. R. 5355]
[Public Law 873]

Authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

Red Lake Band of Chippewa Indians, Minn.
Per capita payment.
Ante, p. 1040.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the Act of May 18, 1916 (39 Stat. L. 137), to the credit of the Red Lake Indians in Minnesota, and to make therefrom a per capita payment or distribution of $50 to each of the members of the Red Lake Band of Chippewa Indians of the State of Minnesota, living at the date of the passage of this Act, immediately payable upon the passage of this Act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder, the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this Act and accept same.

Approved July 1, 1948.

[CHAPTER 794]

AN ACT

July 1, 1948
[H. R. 6116]
[Public Law 874]

To amend the Trading With the Enemy Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended to read as follows:

50 U. S. C., Supp. I, app. § 33.

Notice of claim for return.
40 Stat. 419; 60 Stat. 50.
50 U. S. C. app. § 9; Supp. I, §§ 9 note, 32.

"SEC. 33. No return may be made pursuant to section 9 or 32 unless notice of claim has been filed: (a) in the case of any property or interest acquired by the United States prior to December 18, 1941, by August 9, 1948; or (b) in the case of any property or interest acquired by the United States on or after December 18, 1941, by April 30, 1949, or two years from the vesting of the property or interest in respect of which the claim is made, whichever is later. No suit pursuant to section 9 may be instituted after April 30, 1949, or after the expiration of two years from the date of the seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which relief is sought, whichever is later, but in computing such two years there shall be excluded any period during which there was pending a suit or claim for return pursuant to section 9 or 32 (a) hereof."

Suits.

Approved July 1, 1948.

[CHAPTER 798]

AN ACT

July 2, 1948
[H. R. 5252]
[Public Law 875]

To extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Texas, authorized to be built by Gus A. Guerra, his heirs, legal representatives and assigns, by an Act of Congress approved July 31, 1946, is hereby extended until July 31, 1949. Construction of such bridge shall be commenced on or before such date and shall be prosecuted with reasonable diligence until same is completed.

Rio Grande.
Bridge, time extension.

60 Stat. 748.

SEC. 2. The right to alter, amend, or repeal this Act is hereby reserved.

Rights reserved.

Approved July 2, 1948.

[CHAPTER 804]

AN ACT

July 2, 1948
[S. 595]
[Public Law 876]

To provide that the rates of compensation for disabilities incurred in active military or naval service other than in a period of war service shall be equal to 80 per centum of the rates payable for similar disabilities incurred during active service in time of war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective the first day of the first month following the passage of this Act, paragraph II of part II of Veterans Regulation Numbered I (a), as amended, is amended to read as follows:

Veterans.
Disability compensation.

38 U. S. C. note foll. § 739, p. 4265.

"II. For the purposes of part II, paragraph I (a) hereof, if the disability results from injury or disease, the compensation shall be equal to 80 per centum of the compensation now or hereafter payable for the disability, had it been incurred in or aggravated by active military or naval service during a period of war service as provided in part I of this regulation."

Approved July 2, 1948.

[CHAPTER 805]

AN ACT

July 2, 1948
[S. 2821]
[Public Law 877]

To provide increases of compensation for certain veterans with service-connected disabilities who have dependents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person entitled to compensation at wartime rates for disability incurred in or aggravated by active service as provided in part I, or paragraph I (c), part II, Veterans Regulation Numbered 1 (a), as amended, or the World War Veterans' Act, 1924, as amended, and restored with limitations by Public Law 141, Seventy-third Congress, March 28, 1934, as amended, and whose disability is rated not less than 60 per centum, shall be entitled to additional compensation for dependents in the following monthly amounts:

Disabled veterans.
Additional compensation for dependents.

38 U. S. C. note foll. § 739, p. 4264.
Ante, pp. 581, 582, 1213.
43 Stat. 607; 48 Stat. 524.
38 U. S. C. §§ 421, 473a, 471a, 722, 706, 366, 367, 501a, 709, 700, 723, 511a.

(1) If and while rated totally disabled and—
  (a) has a wife but no child living, $21;
  (b) has a wife and one child living, $35;
  (c) has a wife and two children living, $45.50;
  (d) has a wife and three or more children living, $56;
  (e) has no wife but one child living, $14;
  (f) has no wife but two children living, $24.50;

(g) has no wife but three or more children living, $35;
(h) has a mother or father, either or both dependent upon him for support, then, in addition to the above amounts, $17.50 for each parent so dependent.

Partial disability.

(2) If and while rated partially disabled, but not less than 60 per centum, in an amount having same ratio to the amount specified in subsection (1) hereof as the degree of his disability bears to the total disability.

Compensation at peacetime rates.

SEC. 2. That any person entitled to compensation at peacetime rates for disability incurred in or aggravated by active service as provided in paragraph II, part II, Veterans Regulation Numbered 1 (a), as amended, except paragraph I (c) thereof, and whose disability is rated not less than 60 per centum, shall be entitled to additional compensation for dependents in the following monthly amounts:

Ante, p. 1219.
Ante, p. 1213.

(1) If and while rated totally disabled and—
(a) has a wife but no child living, $16.80;
(b) has a wife and one child living, $28;
(c) has a wife and two children living, $36.40;
(d) has a wife and three or more children living, $44.80;
(e) has no wife but one child living, $11.20;
(f) has no wife but two children living, $19.60;
(g) has no wife but three or more children living, $28;
(h) has a mother or father, either or both dependent upon him for support, then, in addition to the above amounts, $14 for each parent so dependent.

Partial disability.

(2) If and while rated partially disabled, but not less than 60 per centum, in an amount having same ratio to the amount specified in subsection (1) hereof as the degree of his disability bears to the total disability.

Restriction.

SEC. 3. The additional compensation for a dependent or dependents provided by this Act shall not be payable to any veteran during any period he is in receipt of an increased rate of compensation or of subsistence allowance on account of a dependent or dependents under any other law administered by the Veterans' Administration: *Provided*, That he may elect to receive whichever is the greater.

48 Stat. 8.
38 U. S. C. §§ 701–721; Supp. I, § 701 note.
Ante, p. 500.

SEC. 4. The administrative, definitive, and penal provisions of Public Law Numbered 2, Seventy-third Congress, and Veterans Regulations thereunder, as amended, shall be for application under this Act.

Effective date.

SEC. 5. This Act shall take effect on the first day of the second calendar month next succeeding its enactment.

Approved July 2, 1948.

[CHAPTER 806]

July 2, 1948
[H. R. 3416]
[Public Law 878]

AN ACT

To provide for the establishment of the Pensacola National Monument.

Pensacola National Monument, Fla.
Acquisition of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to receive on behalf of the United States, the following parcels of land, together with any improvements thereon, now located in the harbor defenses of Pensacola on lands owned by the Department of the Army, in Escambia County, State of Florida, not needed by either the War or Navy Department and transferred in accordance with existing law:

(1) Old Fort San Carlos and Old Fort Barrancas (approximate area four acres).
(2) Old Fort Redoubt (approximate area four acres).
(3) Old Fort Pickens (approximate area five acres).

SEC. 2. The property acquired under the provisions of section 1 of this Act shall be held by the Secretary of the Interior pending determination by the said Secretary as to its national significance for national monument purposes. In the event that the said Secretary shall determine it to be in the national interest the area, upon the publication of a Secretarial order in the Federal Register, shall constitute the Pensacola National Monument, set apart for the preservation of historical associations connected with Pensacola and its harbor defenses.

Publication in Federal Register.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have supervision, management, and control of such national monument, and shall restore, maintain, and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States.

Supervision, etc.

SEC. 3. The Secretary of the Interior is authorized to maintain either in an existing structure acquired under the provisions of section 1 of this Act or in a building constructed by him for the purpose of a museum for relics and records pertaining to Pensacola and its harbor defenses and for other articles of national and patriotic interest, and to accept on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

Museum.

SEC. 4. In the event that the said Secretary shall determine that the area would be more suitably administered as a State historical park, the said Secretary is hereby authorized to transfer title to the land, and jurisdiction of the area, to the State of Florida: *Provided*, That the State shall perpetually maintain the area for State historical park use. In the event that the State shall ever abolish the historical park, or attempt to alienate the lands, title shall revert to the United States.

Transfer of title, etc., to State.

Reversion to U. S.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved July 2, 1948.

[CHAPTER 807]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain Federal employees who have rendered at least twenty years' service in the investigation, apprehension, or detention of persons suspected or convicted of offenses against the United States.

July 2, 1948
[H. R. 6454]
[Public Law 879]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

Civil Service Retirement Act of 1930, amendment.
Ante, p. 48.

"(d) Any officer or employee to whom this Act applies the duties of whose position are primarily the investigation, apprehension, or detention of persons suspected or convicted of offenses against the criminal laws of the United States (including any officer or employee engaged in such activity who has been transferred to a supervisory or administrative position) who is at least fifty years of age, and who has rendered twenty years of service or more in the performance of such duties (including the duties of a supervisory or administrative officer or employee) may, on his own application and upon the recommendation of the head of the department or agency in which he is serving, and with the approval of the Civil Service Commission, retire from the service; and the annuity of such officer or employee shall be equal to 2 per centum of his average basic salary for the five years next preceding the date of his retirement, multiplied by the number of years of service, not exceeding thirty years. The Civil Service

Annuities for certain Federal employees.

Commission shall, upon recommendation by the head of the department or agency involved, determine whether such officer or employee is entitled to retirement under this subsection. In making such determination, the Commission shall give full consideration to the degree of hazard to which such officer or employee is subjected in the performance of his duties, rather than the general duties of the class of the position held by such officer or employee."

Approved July 2, 1948.

[CHAPTER 808]

AN ACT

July 2, 1948
[S. 1260]
[Public Law 880]

To create a commission to hear and determine the claims of certain motor carriers.

Motor Carrier Claims Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established a Motor Carrier Claims Commission, hereafter referred to as the Commission.

Purpose.

SEC. 2. The Commission shall hear and determine, according to law, existing claims against the United States arising out of the taking by the United States of possession or control of any of the motor-carrier transportation systems described in Executive Order Numbered 9462, dated August 11, 1944 (C. F. R., 1944 Supp., p. 70). The settlement of any claim prior to the enactment of this Act shall not prevent the Commission from hearing and determining such claim if it determines that the principles of equity as administered by the courts require that such settlement be set aside and that such claim be heard and determined.

3 CFR, 1944 Supp., p. 70.

Composition.

SEC. 3. The Commission shall consist of a Chairman and two other members, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall each receive a salary of $15,000 per year. At least two of such members shall be learned in the law. Each member shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office. The members shall hold office until the dissolution of the Commission as hereinafter provided. Vacancies shall be filled in the same manner as the original appointments. Two members shall constitute a quorum, and the agreement of two members shall be necessary to any and all determinations for the transaction of the business of the Commission, and if there be a quorum, no vacancy shall impair or affect the business of the Commission, or its determinations.

Vacancies.
Quorum.

Employees.

SEC. 4. The Commission shall appoint a clerk and such other employees as shall be requisite to conduct the business of the Commission. All such employees shall take oath for the faithful discharge of their duties and shall be under the direction of the Commission in the performance thereof.

Meetings.

SEC. 5. The Commission shall meet at such times and places as it may prescribe, shall keep a full written record of all its hearings and proceedings which shall be open to public inspection, and shall have power to establish its rules of procedure.

Period for receiving claims.
Post, p. 1290.

SEC. 6. The Commission shall receive claims for a period of six months after the date of enactment of this Act, and not thereafter. The jurisdiction of the Commission over claims presented to it as provided in section 2 of this Act shall be exclusive; but nothing in this Act shall prevent any person who does not elect to present his claim to the Commission from pursuing any other remedy available to him. The Attorney General or his assistants shall represent the United States in all claims presented to the Commission.

Supra.

Administration of oaths, etc.

SEC. 7. Any member of the Commission or any employee of the Commission, designated in writing for the purpose by the Chairman, may administer oaths and examine witnesses. Any member of the

Subpena of witnesses.

Commission may require by subpena (1) the attendance and testimony of witnesses, and the production of all necessary books, papers, documents, correspondence, and other evidence, from any place in the United States at any designated place of hearing; or (2) the taking of depositions before any designated individual competent to administer oaths under the laws of the United States or of any State or Territory. In the case of a deposition, the testimony shall be reduced to writing by the individual taking the deposition or under his direction and shall be subscribed by the deponent. In taking oral testimony, opportunity shall be given for cross-examination, under such regulations as the Commission may prescribe. Witnesses subpenaed to testify or whose depositions are taken pursuant to this Act, and the officers or persons taking the same, shall severally be entitled to the same fees and mileage as are paid for like services in the courts of the United States.

Final determination.

SEC. 8. The final determination of the Commission shall be in writing, shall be filed with its clerk, and shall include (1) its findings of the facts upon which its conclusions are based; (2) a statement (a) whether there are any just grounds for relief of the claimant and, if so, the amount thereof; (b) whether there are any allowable offsets, counterclaims, or other deductions, and, if so, the amount thereof; and (3) a statement of its reasons for its findings and conclusions.

Notice to parties.

SEC. 9. (a) When the final determination of the Commission has been filed with the clerk of said Commission the clerk shall give notice of the filing of such determination to the parties to the proceeding in manner and form as directed by the Commission. Such determination shall be subject to review in the same manner as is provided for cases in the Court of Claims upon application to the Supreme Court within three months from the date of the filing of such determination with the clerk.

Report to Congress.

SEC. 10. In each claim, after the proceedings have been finally concluded, the Commission shall promptly submit its report to Congress.

The report to Congress shall contain (1) the final determination of the Commission; (2) a transcript of the proceedings or judgment upon review, if any, with the instructions of the Supreme Court; and (3) a statement of how each Commissioner voted upon the final determination of the claim.

Payment of claim.

SEC. 11. (a) When the report of the Commission determining any claimant to be entitled to recover has been filed with Congress, such report shall have the effect of, and be paid in the same manner as is provided for, a final judgment of the Court of Claims.

The payment of any claim, after its determination in accordance with this Act, shall be a full discharge of the United States of all claims and demands touching any of the matters involved in the controversy.

(b) A final determination against a claimant made and reported in accordance with this Act shall forever bar any further claim or demand against the United States arising out of the matter involved in the controversy.

Annual report to Congress.

SEC. 12. The Commission shall determine all claims presented to it as expeditiously as possible, and shall make a report to Congress of its progress not later than the fifteenth of April of each year until its dissolution.

Termination of Commission.
Post, p. 1290.

SEC. 13. The existence of the Commission shall terminate at the end of two years after the first meeting of the Commission or at such earlier time after the expiration of the six months' period of limitation set forth in section 6 hereof as the Commission shall have made its final report to Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States.

Ante, p. 1222.

Approved July 2, 1948.

[CHAPTER 809]

AN ACT

July 2, 1948
[S. 1683]
[Public Law 881]

To confer jurisdiction on the State of New York with respect to offenses committed on Indian reservations within such State.

Indian reservations, N. Y.
Jurisdiction over offenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of New York shall have jurisdiction over offenses committed by or against Indians on Indian reservations within the State of New York to the same extent as the courts of the State have jurisdiction over offenses committed elsewhere within the State as defined by the laws of the State: *Provided*, That nothing contained in this Act shall be construed to deprive any Indian tribe, band, or community, or members thereof, hunting and fishing rights as guaranteed them by agreement, treaty, or custom, nor require them to obtain State fish and game licenses for the exercise of such rights.

Approved July 2, 1948.

[CHAPTER 810]

AN ACT

July 2, 1948
[S. 1969]
[Public Law 882]

To amend the Philippine Rehabilitation Act of 1946 in connection with the training of Filipinos as provided for in title III.

Philippine Rehabilitation Act of 1946, amendments.
60 Stat. 135.
50 U. S. C. app. § 1782 (b).
Filipino engineer trainees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 (b) of the Philippine Rehabilitation Act of 1946 (Public Law 370, Seventy-ninth Congress) is amended to read as follows:

"(b) The Commissioner of Public Roads is authorized, under such regulations as he may adopt, to provide training for not to exceed ten Filipino engineers, to be designated by the President of the Philippines from the regularly employed staff of the Philippine Public Works Department and the engineer officers of the armed forces of the Philippines subject to the provisions of section 311 (c), in the construction, maintenance, and highway traffic engineering and control necessary for the continued maintenance and for the efficient and safe operation of highway transport facilities."

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

SEC. 2. Section 305 (b) of the Philippine Rehabilitation Act of 1946 is amended to read as follows:

60 Stat. 136.
50 U. S. C. app. § 1785 (b).
Survey of health situation.

"(b) To accomplish such purposes the Public Health Service shall at the earliest practicable time survey the health situation in the Philippines, and is authorized to replace, expand, or install such health services and facilities in the Philippines as are deemed essential to preservation of health, and may assist in the rehabilitation and development of a Philippine quarantine service for prevention of introduction of disease from abroad or from one island to another. The Public Health Service may set up demonstrations and establish training centers in the Philippines; may establish and maintain in the Philippines a school or schools for the purpose of providing practical instruction in public health; and may, at any time prior to July 1, 1950, provide not to exceed one year of training in public health methods and administration, through study at appropriate schools or colleges in the United States and supplementary field work and observation of public health work, to not more than ninety Filipinos, to be designated by the President of the Philippines subject to the provisions of section 311 (c), and not to exceed five months of training in such methods and administration, through field work and observation of public health work, to not more than ten additional Filipinos, to be so designated. It may replace equipment and supply reasonably necessary additional equipment, utilizing for this purpose, so far as

Instruction.

60 Stat. 139.
50 U. S. C. app. § 1791 (c).

Equipment.

possible, surplus property, and may recommend to the Commission the repair or construction under the provisions of section 304, at any time prior to July 1, 1950, of buildings deemed essential to the rehabilitation of public health and quarantine functions."

60 Stat. 136. 50 U. S. C. app. § 1784.

SEC. 3. Section 311 of the Philippine Rehabilitation Act of 1946 is amended by adding thereto a subsection numbered (f) and reading as follows:

60 Stat. 139. 50 U. S. C. app. § 1791.

"(f) Any Filipino who has commenced training or instruction prior to June 30, 1950, as provided in this Act, shall, notwithstanding any other provisions of this Act, be entitled, insofar as facilities are available, to receive the full course of training or instruction as prescribed by the head of the bureau or agency concerned, and funds appropriated under the authority of this Act shall be available for such training or instruction. The number of trainees to be trained each year, as prescribed by the several sections of this Act, refers to the number of trainees who may be designated each year by the President of the Philippines and not to the total number of trainees receiving training or instruction in any one year."

Training period.

Number of trainees.

Approved July 2, 1948.

[CHAPTER 811]

AN ACT

To promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes.

July 2, 1948
[S. 2554]
[Public Law 883]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Industrial Reserve Act of 1948".

National Industrial Reserve Act of 1948.

DECLARATION OF POLICY

SEC. 2. In enacting this Act, it is the intent of Congress to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and a national reserve of machine tools and industrial manufacturing equipment may be assured for immediate use to supply the needs of the armed forces in time of national emergency or in anticipation thereof; it is further the intent of the Congress that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become surplus to such requirements shall be disposed of as expeditiously as possible.

DEFINITIONS

SEC. 3. (a) The term "national industrial reserve", as used herein, means that excess industrial property which has been or may hereafter be sold, leased, or otherwise disposed of by the United States, subject to a national security clause, and that excess industrial property of the United States which not having been sold, leased, or otherwise disposed of, subject to a national security clause, shall be transferred to the Federal Works Agency under section 5 hereof.

"National industrial reserve."

Post, p. 1226.

(b) The term "excess industrial property," as used herein, means any machine tool, any industrial manufacturing equipment and any industrial plant (including structures on land owned by or leased to the United States, substantially equipped with machinery, tools, and equipment) which is capable of economic operation as a separate and independent industrial unit and which is not an integral part of an installation of a private contractor, which machine tools, industrial manufacturing equipment, and industrial plants are under the control

"Excess industrial property."

of any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation and which are not required for its immediate needs and responsibilities as determined by the head thereof.

"National security clause."

(c) The term "national security clause", as used herein, means those terms, conditions, restrictions, and reservations, heretofore formulated or as may be formulated under section 4 (2) hereof for insertion in instruments of sale or lease of property, determined in accordance with section 4 (1) to be a part of the national industrial reserve, which will guarantee the availability of such property for the purposes of national defense at any time when availability thereof for such purposes is deemed necessary by the Secretary of Defense.

Infra.

Authority of Secretary of Defense.

SEC. 4. To effectuate the policy set forth in section 2 of this Act the Secretary of Defense is hereby authorized and directed to—

(1) determine which excess industrial properties should become a part of the national industrial reserve under the provisions of this Act;

(2) formulate a national security clause, as defined in section 3 (c) hereof and vary or modify the same from time to time in such manner as best to attain the objectives of this Act, having due regard to securing advantageous terms to the Government in the disposal of excess industrial property;

Supra.

(3) consent to the relinquishment or waiver of all or any part of any national security clause in specific cases when necessary to permit the disposition of particular excess industrial property when it is determined that the retention of the productive capacity of any such excess industrial property is no longer essential to the national security or that the retention of a lesser interest than that originally required will adequately fulfill the purposes of this Act: *Provided*, That nothing in this subsection (3) shall require the modification or waiver of any part of any such national security clause when such clause is deemed necessary by the Secretary of Defense to effectuate the purposes of this Act; and

(4) designate what excess industrial property shall be disposed of subject to the provisions of the national security clause.

Modifications of national security clause.

SEC. 5. (a) In the event that any agency charged with the disposal of excess industrial property, after making every practicable effort so to do, is unable to dispose of any excess industrial plant because of the national security clause it shall notify the Secretary of Defense, indicating such modifications in the national security clause, if any, which in its judgment would make possible disposal of the plant. The Secretary of Defense shall consider and agree to any and all such proposed modifications as in his judgment would be consistent with the purposes of this Act. If, however, such clause is not modified or the requirements thereof waived pursuant to section 4 (3), or if modified, such plant cannot then be disposed of under such modified clause, the Secretary of Defense shall direct that such plant be transferred to the Federal Works Agency, and such transfer shall be without reimbursement or transfer of funds.

Supra.

Transfer of plant to Federal Works Agency.

Storage of equipment, etc.

(b) Notwithstanding any other provisions of law, any agency charged with the disposal of excess machine tools and industrial manufacturing equipment shall transfer custody of such machine tools and equipment as may be designated by the Secretary of Defense pursuant to section 4 hereof to the Federal Works Agency, without reimbursement, for storage and maintenance.

Duties of Federal Works Agency.

SEC. 6. Subject to provisions of section 7 hereof, the Federal Works Agency is hereby authorized and directed to accept the transfer to it of such excess industrial property as is directed to be transferred to it under section 4 hereof and, as and when directed or authorized by

Supra.

the Secretary of Defense pursuant to section 7 hereof, to utilize, maintain, protect, repair, restore, renovate, lease, or dispose of such property. Notwithstanding section 321 of the Act of June 30, 1932 (47 Stat. 412; U. S. C., title 40, sec. 303 (b)), any lease may provide for the renovation, maintenance, protection, repair, and restoration by the lessee, of the property leased, or of the entire unit or installation when a substantial part thereof is leased, as part or all of the consideration for the lease of such property.

Infra.

40 U. S. C. § 303b.

SEC. 7. The Secretary of Defense, with respect to property in the national industrial reserve, is authorized when he deems such action to be in the interest of national security—

Property in national industrial reserve.

(1) to establish general policies for the care, maintenance, utilization, recording, and security of such property transferred to the Federal Works Agency pursuant to section 5 hereof; and

(2) to direct the transfer without reimbursement by the Federal Works Agency of any of such property to other Government agencies with the consent of such agencies; and

(3) to direct the leasing by the Federal Works Agency of any of such property to designated lessees; and

(4) to authorize the disposition by the Federal Works Agency of any of such property by sale or otherwise when in the opinion of the Secretary of Defense such property may be disposed of subject to or free of the national security clause provided for in section 5 hereof; and

(5) to authorize and regulate the lending of any such property by the Federal Works Agency to any nonprofit educational institution or training school when (a) the Secretary shall determine that the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (b) such institution or school shall by agreement make such provision as the Secretary shall deem satisfactory for the proper maintenance of such property and for its return to the Federal Works Agency without expense to the Government.

Lending to nonprofit educational institutions.

SEC. 8. As and when directed or authorized by the Secretary of Defense pursuant to the provisions of section 7 hereof, the Federal Works Agency shall after the date upon which transfer is directed pursuant to section 5 hereof provide for the transportation, handling, care, storage, protection, maintenance, utilization, repair, restoration, renovation, leasing, and disposition of excess industrial property.

Ante, p. 1226.

SEC. 9. Nothing contained in this Act shall be construed as authorizing the acquisition of any property for the national industrial reserve except from excess or surplus Government-owned property.

Acquisition of property; restriction.

SEC. 10. The Secretary of Defense shall appoint a National Industrial Reserve Review Committee, which shall consist of not exceeding fifteen persons to be appointed from civilian life who are by training and experience familiar with various fields of American industry, including shipbuilding, aircraft manufacture, machine tools, and arms and armament production. The members of such Committee shall serve for such term or terms as the Secretary of Defense may specify and shall meet at such times as may be specified by the Secretary of Defense to consult with and advise the National Military Establishment. Each member of such Committee shall be entitled to compensation in the amount of $50 for each day, or part of day, he shall be in attendance at any regular called meeting of the Committee, together with reimbursement for all travel expenses incident to such attendance: *Provided*, That nothing contained in sections 41, 109, and 113 of the Criminal Code (U. S. C., title 18, secs. 93, 198, and 203); in Revised Statutes, section 190 (U. S. C., title 5, sec. 99); in section 19 (e) of the Contract Settlement Act of 1944 (Public Law 395, Seventy-eighth

National Industrial Reserve Review Committee.

Ante, p. 863.

58 Stat. 668.
41 U. S. C. § 119.
Ante, p. 868.

Congress); or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim proceeding, or matter involving the United States, shall apply to such persons solely by reason of their appointment to and membership on such Committee.

Duties of Committee.

SEC. 11. It shall be the duty of the Committee appointed under section 10 hereof to review not less often than once each year the justification for the retention of property in the national industrial reserve established hereunder and (i) to recommend to the Secretary of Defense the disposition of any such property which in the opinion of the Committee would no longer be of sufficient strategic value to warrant its further retention for the production of war material in the event of a national emergency; (ii) to recommend to the Secretary of Defense standards of maintenance for the property held in the national industrial reserve; (iii) to review and recommend to the Secretary of Defense the disposal of that property which in the opinion of the Committee could and should be devoted to commercial use in the civilian economy; and (iv) to advise the Secretary of Defense with respect to such activities under this Act as he may request.

Report to Congress.

SEC. 12. The Secretary of Defense shall submit to the Congress on April 1 of each year a report detailing the action taken by it hereunder and containing such other pertinent information on the status of the national industrial reserve as will enable the Congress to evaluate its administration and the need for amendments and related legislation.

10 U. S. C., Supp. I, § 1270c; 34 U. S. C., Supp. I, § 522d.

SEC. 13. Section 5 of the Act approved August 5, 1947 (ch. 493, 61 Stat. 774), is hereby repealed.

Appropriation authorized.

Ante, p. 1033.

SEC. 14. There are hereby authorized to be appropriated to the Office of the Secretary of Defense and to the Federal Works Administration, out of any moneys in the Treasury not otherwise appropriated, such sums as the Congress may, from time to time, determine to be necessary to enable the Secretary of Defense and the Federal Works Agency to carry out their respective functions under the Act.

Approved July 2, 1948.

[CHAPTER 812]

July 2, 1948
[S. 2743]
[Public Law 884]

AN ACT

Providing for the more expeditious determination of certain claims filed by Ute Indians.

Ute Indians.
Determination of certain claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes, approved June 28, 1938 (52 Stat. 1209), as amended July 15, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and August 13, 1946 (60 Stat. 1049), is hereby amended by adding to section 3 thereof the following: "The court shall, upon a determination of the material issues or upon consent of the parties, enter a separate final judgment for any value of the surface and a subsequent separate final judgment for any value of the subsurface of the land which the court may determine to be the subject matter of case numbered 45585 in the United States Court of Claims entitled, Confederated Bands of Ute Indians versus United States of America. Each of the judgments shall be subject to review in accordance with the provisions of section 3 of the Act of February 13, 1929 (ch. 229, 43 Stat. 939), as amended by the Act approved May 22, 1939 (ch. 140, 53 Stat. 752; 28 U. S. C. 288). Any value subse-

25 U. S. C. §§ 70-70v.
Separate judgments for surface and subsurface of land.

Ante, p. 1000.

quently allowed by the court for the subsurface, when added to any value previously allowed by the court for the surface, shall not exceed the court's determination of the value, if any, of the land, surface, and subsurface, valued as a whole. The parties may compromise or settle in whole or part claims for any of the surface or subsurface values involved, and any settlement or compromise shall be reduced to a separate judgment. The services rendered by the attorney or attorneys in obtaining any judgment shall constitute a separate employment and undertaking involving a single set of services and the court shall award separate compensation for the services rendered in obtaining each separate judgment. Nothing in this Act shall be construed to reduce or increase fees payable to counsel in accordance with their duly approved and executed contracts or to preclude their continued representation in any case until paid; nor, with respect to any judgment hereunder, shall this amendment impair or limit any claim, right, defense, or offset otherwise applicable."

Attorneys' fees.

Approved July 2, 1948.

[CHAPTER 813]

AN ACT

July 2, 1948
[H. R. 3735]
[Public Law 885]

To authorize the Secretary of the Army to sell and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Florida, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to convey, subject to the limitations and conditions hereinafter enumerated and such others as he may prescribe, to Okaloosa County, State of Florida, for recreational purposes, all right, title, and interest of the United States in and to all or any part of that portion of Santa Rosa Island, Florida, extending one mile east from Brooks Bridge on United States Highway 98 near the town of Fort Walton, Florida, except for a strip of land six hundred feet wide (three hundred feet east and three hundred feet west from center line of road leading to radar site "Dick"), extending from Highway 98 to the mean low water level of the Gulf of Mexico, and two miles west from said bridge, and to all or any part of that portion of said Santa Rosa Island which lies east of the new channel at East Pass (consisting of two small islands), said property being under the jurisdiction of the Department of the Army. Such conveyance shall be made upon payment by said county of a sum which shall be fifty per centum of the fair value of the property conveyed, based upon the highest and best use of the property at the time it is offered for sale regardless of its former character or use, as determined by the Secretary, less such portion of the price originally paid by said county for said island, prior to its conveyance to the United States, as the Secretary shall determine to be fair and equitable. The deed of conveyance of said property by the Federal Government will contain the following limitations and restrictions:

Okaloosa County, Fla.
Conveyance.

Payment by county.

Limitations and restrictions.

a. That said property shall be used only for public recreational purposes.

b. That climb-proof, chain-link fences eight feet in height, with three strands of barbed-wire (three barbs) at the top, together with necessary gates, be constructed by and at the expense of Okaloosa County, its successors or assigns, one at the westerly limit of area conveyed, and a second surrounding the immediate area of radar site "Dick", the fence erected at the westerly limit to be maintained by Okaloosa County and the fence erected around radar site "Dick" to be maintained by the Department of the Army.

c. That the Federal Government reserves the free right of ingress and egress in, on, and over the above-described property to other Federal Government property.

d. That the Federal Government reserves an avigation easement in perpetuity, prohibiting the erection of any structure or obstacle in excess of seventy-five feet above mean low-water level within the area to be conveyed.

e. That in the event of a national emergency the United States of America, acting through the Secretary of the Army, shall have the right to take over from Okaloosa County, its successors or assigns, complete control and operation of the property herein described for such use and for such length of time as the emergency shall require, in the discretion of the Secretary of the Army; without rental or other charge as far as Okaloosa County is concerned but subject to all valid existing private rights in and to the said property or any part or parts thereof: *Provided*, That just compensation shall be given to the owners, lessees, or other persons interested for the taking of control or operation of, or rights in, improvements of said property.

f. That cost of any surveys that will be necessary in connection with the conveyance of said land shall be borne by the county of Okaloosa, its successors or assigns.

g. The public recreational purposes provided for herein shall include the erection and operation by private persons, for profit, of houses, hotels, restaurants, cafes, bathhouses, casinos, night clubs, and other enterprises and usages usual to beach resorts and resort housing developments.

Use of property.

SEC. 2. The property herein described shall be retained by the said Okaloosa County and shall be used by it only for such public recreational purposes as it shall deem to be in the public interest or be leased by it from time to time, in whole or in part or parts to such persons and only for such public recreational purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased, but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying the said property back to the Federal Government, or, subject to the limitations and restrictions hereinbefore indicated, to the State of Florida or any agency thereof; any such conveyance to be subject to all valid rights of third parties then existing or outstanding.

Reversion to U. S.

SEC. 3. In the event that the land conveyed pursuant to this Act shall be used for any purpose other than for public recreational purposes as herein defined, or shall cease to be used for such purposes, title to said land shall revert to the United States. The county of Okaloosa shall be obligated to require compliance with all of the other restrictions and limitations enumerated in this Act. And the said county shall, in all its leases of the said property, or part, or parts thereof, provide that in the event of a failure on the part of the lessee or lessees, heirs, successors, or assigns, to comply with such restrictions and limitations, all the rights, titles, and interests of such noncomplying lessee or lessees, heirs, successors, or assigns shall be forfeited, and shall revert to the county of Okaloosa to be held subject to the terms and provisions of this Act.

SEC. 4. It is herein provided that the above-described lands are subject to valid existing rights, including those arising out of a lease granted to the Island Amusement Company by Escambia County, Florida, on September 10, 1929, and subsequently modified.

Approved July 2, 1948.

[CHAPTER 814]

AN ACT

To authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders.

July 2, 1948
[H. R. 3999]
[Public Law 886]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General shall have jurisdiction to determine according to law any claim by a person of Japanese ancestry against the United States arising on or after December 7, 1941, when such claim is not compensated for by insurance or otherwise, for damage to or loss of real or personal property (including without limitation as to amount damage to or loss of personal property bailed to or in the custody of the Government or any agent thereof), that is a reasonable and natural consequence of the evacuation or exclusion of such person by the appropriate military commander from a military area in Arizona, California, Oregon, or Washington; or from the Territory of Alaska, or the Territory of Hawaii, under authority of Executive Order Numbered 9066, dated February 19, 1942 (3 CFR, Cum. Supp., 1092), section 67 of the Act of April 30, 1900 (48 U. S. C. 532), or Executive Order Numbered 9489, dated October 18, 1944 (3 CFR, 1944 Supp., 45). As used herein "evacuation" shall include voluntary departure from a military area prior to but in anticipation of an order of exclusion therefrom.

Japanese evacuation claims.

31 Stat. 153.

3 CFR, 1944 Supp., p. 94.
"Evacuation."

LIMITATIONS; CLAIMS NOT TO BE CONSIDERED

SEC. 2. (a) The Attorney General shall receive claims for a period of eighteen months from the date of enactment of this Act. All claims not presented within that time shall be forever barred.

(b) The Attorney General shall not consider any claim—

(1) by or on behalf of any person who after December 7, 1941, was voluntarily or involuntarily deported from the United States to Japan or by and on behalf of any alien who on December 7, 1941, was not actually residing in the United States;

(2) for damage or loss arising out of action taken by any Federal agency pursuant to sections 4067, 4068, 4069, and 4070 (relating to alien enemies) of the Revised Statutes, as amended (50 U. S. C. 21–24), or pursuant to the Trading With the Enemy Act, as amended (50 U. S. C. App., and Supp., 1–31, 616);

40 Stat. 411.
50 U. S. C. app. §§1–38; Supp. I, §4 *et seq.*
Ante, p. 1218; *post*, p. 1246.

(3) for damage or loss to any property, or interest therein, vested in the United States pursuant to said Trading With the Enemy Act, as amended;

(4) for damage or loss on account of death or personal injury, personal inconvenience, physical hardship, or mental suffering; and

(5) for loss of anticipated profits or loss of anticipated earnings.

HEARINGS; EVIDENCE; RECORDS

SEC. 3. (a) The Attorney General shall give reasonable notice to the interested parties and an opportunity for them to be heard and to present evidence before making a final determination upon any claim.

(b) For the purpose of any hearing or investigation authorized under this Act, the provisions of sections 9 and 10 (relating to examination of documentary evidence, attendance of witnesses, and production of books, papers, and documents) of the Federal Trade Commission Act of September 26, 1914, as amended (15 U. S. C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Attorney General. Subpenas may be served personally, by

38 Stat. 722.

Subpenas.

registered mail, by telegraph, or by leaving a copy thereof at the residence or principal place of business of the person required to be served. A verified return by the individual so serving the same, setting forth the manner of service, shall be proof of service. The United States marshals or their deputies shall serve such process in their respective districts.

Written record.

(c) A written record shall be kept of all hearings and proceedings under this Act and shall be open to public inspection.

ADJUDICATIONS; PAYMENT OF AWARDS; EFFECT OF ADJUDICATIONS

SEC. 4. (a) The Attorney General shall adjudicate all claims filed under this Act by award or order of dismissal, as the case may be, upon written findings of fact and reasons for the decision. A copy of each such adjudication shall be mailed to the claimant or his attorney.

(b) The Attorney General may make payment of any award not exceeding $2,500 in amount out of such funds as may be made available for this purpose by Congress.

Report to Congress.

(c) On the first day of each regular session of Congress the Attorney General shall transmit to Congress a full and complete statement of all adjudications rendered under this Act during the previous year, stating the name and address of each claimant, the amount claimed, the amount awarded, the amount paid, and a brief synopsis of the facts in the case and the reasons for each adjudication. All awards not paid under subsection (b) hereof shall be paid in like manner as are final judgments of the Court of Claims.

(d) The payment of an award shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary, and shall be a full discharge of the United States and all of its officers, agents, servants, and employees with respect to all claims arising out of the same subject matter. An order of dismissal against a claimant, unless set aside by the Attorney General, shall thereafter bar any further claim against the United States or any officer, agent, servant, or employee thereof arising out of the same subject matter.

Order of dismissal as bar.

ATTORNEYS' FEES

SEC. 5. The Attorney General, in rendering an award in favor of any claimant, may as a part of the award determine and allow reasonable attorneys' fees, which shall not exceed 10 per centum of the amount allowed, to be paid out of, but not in addition to, the amount of such award.

Penalty.

Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be guilty of a misdemeanor, and shall upon conviction thereof be subject to a fine of not more than $2,000, or imprisonment for not more than one year, or both.

ADMINISTRATION

SEC. 6. For the purposes of this Act the Attorney General may—

(a) appoint a clerk and such attorneys, examiners, interpreters, appraisers, and other employees as may be necessary;

(b) call upon any Federal department or agency for any information or records necessary;

(c) secure the cooperation of State and local agencies, governmental or otherwise, and reimburse such agencies for services rendered;

(d) utilize such voluntary and uncompensated services as may from time to time be needed and available;

(e) assist needy claimants in the preparation and filing of claims;

(f) make such investigations as may be necessary;

(g) make expenditures for witness fees and mileage and for other administrative expenses;

(h) prescribe such rules and regulations, perform such acts not inconsistent with law, and delegate such authority as he may deem proper in carrying out the provisions of this Act.

APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

Approved July 2, 1948.

[CHAPTER 815]

AN ACT

July 2, 1948
[H. R. 4462]
[Public Law 887]

Authorizing the conveyance of certain lands in Park County, Wyoming, to the State of Wyoming.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to the State of Wyoming for the east half of the northeast quarter, section 36, township 58 north, range 100 west, of the sixth principal meridian, in Park County, Wyoming, subject to any existing lease or leases: *Provided*, That title to said land shall be held and considered to have been vested in the State of Wyoming on July 10, 1890.

Park County, Wyo.
Issuance of patent.

Approved July 2, 1948.

[CHAPTER 816]

AN ACT

July 2, 1948
[H. R. 5508]
[Public Law 888]

To amend the Veterans' Preference Act of 1944 to extend the benefits of such Act to certain mothers of veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) clause (5) of section 2 of the Veterans' Preference Act of 1944, as amended, is amended by striking out "and were widows at the time of the death or disability of their ex-serviceman son or ex-servicewoman daughter".

Veterans' Preference Act of 1944, amendment.
Ante, p. 3.

(b) Clause (6) of section 2 of such Act, as amended, is amended by striking out "(B) The mother was divorced or separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother", and inserting in lieu thereof "(B) The mother was divorced or separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) the mother has not remarried.".

Approved July 2, 1948.

[CHAPTER 817]

AN ACT

July 2, 1948
[H. R. 5882]
[Public Law 889]

To authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army, Secretary of the Navy, and Secretary of the Air Force

Donation of surplus property for educational purposes.

are hereby authorized in their discretion to donate for educational purposes in the States, Territories, and possessions without cost, except for costs of packing, transportation, and delivery, such equipment, materials, books, and other supplies as may be obsolete or no longer needed by the Army, Navy, or Air Force and which any such Secretary or the United States Commissioner of Education, Federal Security Agency, may consider usable for educational purposes.

Basis of allocation.

SEC. 2. All property which the Secretary of the Army, Secretary of the Navy, or Secretary of the Air Force may so donate, except that donated in accordance with section 3 hereof, shall be allocated on the basis of needs and utilization by the United States Commissioner of Education for transfer by the owning agency directly to schools, colleges, or universities or to State Departments of Education, for distribution by the State to tax-supported schools, colleges, and universities and other nonprofit schools, colleges, and universities which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code; except in any State where another agency is designated by State law for such purposes such transfer shall be made to said agency for such distribution within the State.

53 Stat. 33.
26 U. S. C. § 101 (6).

Donation to military, etc., schools.

SEC. 3. The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force may donate such of the property specified in section 1 hereof as they consider usable for educational purposes to those educational activities that are of special interest to the armed services, such as maritime academies or military, naval, air force, or coast guard preparatory schools.

Approved July 2, 1948.

[CHAPTER 818]

AN ACT

July 2, 1948
[H. R. 6096]
[Public Law 890]

To provide for making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Missouri, and Omaha, Nebraska, for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of assuring their operation for the production of products from agricultural commodities in order to provide a means of discharging the responsibility of the Department of Agriculture in connection with surplus agricultural commodities, research, and other authorized activities, and to assist in providing an adequate supply of alcohol and other products produced from agricultural commodities necessary for the national defense, (1) the Reconstruction Finance Corporation, as successor to Defense Plant Corporation, shall transfer, without regard to the provisions of the Surplus Property Act of 1944 and without reimbursement or transfer of funds, to the Secretary of Agriculture all of its right, title, and interest in and to the alcohol plant established and constructed by Defense Plant Corporation at Muscatine, Iowa, the property, together with the equipment, records, facilities, and other property appurtenant thereto; and (2) the War Assets Administration shall transfer to the Secretary of Agriculture without regard to the provisions of the Surplus Property Act of 1944 and without reimbursement or transfer of funds the alcohol plants at Kansas City, Missouri, and Omaha, Nebraska, together with the land, equipment, facilities, and other property appurtenant thereto.

Department of Agriculture.
Transfer of certain alcohol plants.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.

58 Stat. 765.
50 U. S. C. app. §§ 1611–1646; Supp. I, § 1612 *et seq.*
Ante, pp. 350, 1103.

Operation of plants.

SEC. 2. In carrying out the purposes of this Act the Secretary is authorized, upon such terms and conditions as he deems reasonable, and notwithstanding the provisions of any other law—

(a) to provide for the operation of such plants by lease or other arrangement;

(b) to operate such plants, where operation by others will not, in the judgment of the Secretary, accomplish the purpose of this Act.

Such plants may be operated in the furtherance of any authorized activities of the Department of Agriculture, and any lease, or other arrangement may be upon such terms and conditions as to result in the plant being operated for such purposes.

Report to Congress.

SEC. 3. Whenever the Secretary finds that the operation of any plant or plants as provided in this Act is no longer necessary or desirable, he shall report such fact to Congress with his recommendations for the disposition thereof.

Additional facilities, etc.

SEC. 4. For the purposes of this Act, the Secretary of Agriculture is authorized (a) to construct and provide additional facilities and equipment necessary to the operation of such plants, and to maintain, repair, and alter such plants; (b) to acquire property or rights or interest therein by purchase, lease, gift, transfer, condemnation, or otherwise; (c) to incur necessary administrative expenses, including personal services; and (d) to make such rules and regulations as may be necessary to carry out the purposes of this Act.

Obligations of plant at Muscatine, Iowa.

SEC. 5. The Secretary of Agriculture shall assume all obligations of the Reconstruction Finance Corporation covering operations of the Muscatine, Iowa, plant, equipment, facilities, and appurtenant property outstanding at the date of transfer.

Appropriation authorized.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this Act such sums as the Congress may from time to time determine to be necessary. Also, the Secretary is authorized to use such sums from other appropriations or funds available to the bureaus, corporations, or agencies of the Department of Agriculture as he may deem necessary for expenses in connection with maintaining these plants in standby condition while not under lease.

Approved July 2, 1948.

[CHAPTER 819]

AN ACT

To authorize an exchange of lands and interests therein between the city of San Diego, California, and the United States, and for other purposes.

July 2, 1948
[H. R. 6633]
[Public Law 891]

San Diego, Calif. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and is hereby, authorized to convey to the city of San Diego without cost to said city, and upon such terms and conditions as may be approved by said Secretary, after receiving the written approval of the Attorney General as to the titles, leases, and other mutual conveyances connected therewith, the following lands and improvements and interests in land, metes and bounds description of said lands being on file in the Navy Department, to wit:

(1) Fee-simple title to an area containing approximately two hundred and forty-four and eight-tenths acres known as the Lindbergh Field extension of the United States Marine Corps Recruit Depot, San Diego;

(2) Fee-simple title to an area comprising approximately one hundred and sixty acres known as Rosedale Airport and being Pueblo lot 1231 of the Pueblo lands of San Diego;

(3) Fee-simple title to those structures and improvements constructed on land of the city of San Diego under naval contracts NOa–130 and NOa–1049, popularly known as the Ryan Aircraft Expansion, including but not limited to a frame stucco office building in two sections containing thirty-seven thousand square feet, a steel frame and corrugated-iron subassembly building of one hundred and

twenty-two thousand square feet, and four miscellaneous smaller buildings, together with appurtenant utilities and parking-lot improvements;

(4) A perpetual easement for street purposes over and across a strip of land two hundred feet in width traversing the United States Naval Training Station, San Diego, containing approximately one and forty-nine one-hundredths acres;

(5) A perpetual easement for street purposes over and across four parcels of land comprising a strip along the east side of the Marine Corps Recruit Depot from Bean Street to Witherby Street, containing eight and eighty-five one-hundredths acres of land; a small strip along Pacific Highway and Barnett Avenue containing ten one-hundredths acre of land and an area south of Pacific Highway giving access to Lindbergh Field, containing three and seventy-six one-hundredths acres of land; and

(6) A perpetual easement for a right-of-way through the United States naval station for the extension of the Wabash Canyon Freeway between Main Street and the San Diego and Arizona Eastern Railroad right-of-way, containing approximately three and eighty-two one-hundredths acres: *Provided*, That if the establishment of such right-of-way should require the relocation of any existing naval structures, their removal and relocation shall be accomplished at the expense of the city and in a manner to be approved by the Commandant of the Eleventh Naval District; in consideration of the conveyance by the city of San Diego to the United States free from all incumbrances, the following lands, improvements, and interest in land situated in the city of San Diego, metes and bounds descriptions of which are on file in the Navy Department, to wit:

Relocation of naval structures.

(1) A leasehold interest for fifty years with the right of renewal for fifty additional years in the area now used by the Navy for Fleet Sonar School near the westerly end of Harbor Drive containing thirty-two and thirty-eight one-hundredths acres, more or less;

(2) A leasehold interest for fifty years with the right of renewal for fifty additional years in the Navy fleet landing area at the foot of G Street having a frontage of four hundred and sixty-four and five-tenths feet on Harbor Drive;

(3) A leasehold interest for fifty years with the right of renewal for fifty additional years in a triangular shaped tract of land bounded by Harbor Drive, the United States bulkhead line of San Diego Bay, and the projection southerly of the easterly line of Kettner Boulevard, comprising approximately three and three-tenths acres: *Provided*, That any lease covering this area may contain a clause to the effect that unless the United States shall construct on said area within a period of five years an officers' club, the lease shall be forthwith canceled and be of no further force and effect, and that the possession of the leased area shall be surrendered to the city: *And provided further*, That such lease may also provide that the city may continue in actual occupation and use of the leased area until such officers' club is actually constructed thereon;

Construction of officers' club by U. S.

(4) A leasehold interest for fifty years with the right of renewal for fifty additional years in the area now occupied by the Navy Public Works Building fronting four hundred and seventy-one and seventy-six one-hundredths feet on the westerly side of Pacific Highway at the foot of B Street, containing approximately three and two-tenths acres;

(5) A leasehold interest for fifty years with the right of renewal for fifty additional years in the area now used by the Navy for recreational purposes, known as Navy Field, fronting on the northerly side of Harbor Drive at the foot of First Avenue comprising approximately twenty-eight and thirteen one-hundredths acres;

(6) A leasehold interest for fifty years with the right of renewal for fifty additional years in the small-boat landing between Broadway Pier and Navy Pier having a frontage of sixty feet;

(7) A leasehold interest for fifty years with the right of renewal for fifty additional years in two loading platform areas containing, respectively, one thousand nine hundred and fifty-eight and two thousand and four hundred square feet of tideland, together with right-of-way for an overhead-bridge crossing to provide passage, exit, and entrance to Government buildings;

(8) A leasehold interest for five years or for such lesser period as the Secretary of the Navy may elect in one-half of the upper deck of that water-front facility commonly known as the Broadway Pier, situated at the foot of Broadway, which space is now occupied by Navy offices: *Provided*, That any lease or leases to be executed by the city of San Diego to accomplish the exchange herein authorized may include a reservation clause in favor of said city reading as follows: "The term of said lease shall not actually begin until the said lands described in said lease shall be actually occupied and utilized for immediate Navy purposes such as are necessary in the maintenance of the United States Navy base within the Eleventh Naval District, and further in the event that if at any time the said premises so leased shall be abandoned by said Navy and shall cease to be used for a period of two years by any branch of the armed services of the United States for military or naval purposes, then and in that event, the said lease shall terminate, be canceled and be of no further effect, and the city shall have the immediate right to reoccupy said lands."; and

Reservation clause.

(9) Fee-simple title to the old city jail site fronting one hundred feet on the westerly side of Second Avenue between F and G Streets (including the building thereon) which is used by the Navy for shore-patrol headquarters, containing approximately ten thousand square feet.

SEC. 2. The Secretary of the Navy is also authorized to accept from the city of San Diego, without cost to the United States, the conveyance of ninety and two-tenths acres of tidelands located between the United States bulkhead line and adjacent to and north of the southerly limits of the city of San Diego, now occupied by the United States under lease NOy(R)-1400 dated October 1, 1942, and being more fully described therein.

Acceptance of tidelands.

Approved July 2, 1948.

[CHAPTER 822]

AN ACT

To provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes.

July 3, 1948
[S. 1243]
[Public Law 892]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all money received by or on account of the Forest Service or other agency of the United States after the dismissal of the proceeding in the Court of Claims entitled "The Warm Springs Tribe of Indians of Oregon versus The United States", numbered M-112, for timber (on a stumpage basis) grown on, the lease or rental of, or other rights in, the lands described in subsection (b) of this section shall be deposited into the Treasury of the United States to the credit of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The funds so deposited, together with any other funds credited to the Confederated Tribes of the Warm Springs Reservation of Oregon under said Act

Confederated Indian Tribes of Warm Springs Reservation, Oreg.
Disposition of certain revenues.

25 U. S. C. § 155.

shall be available for such purposes as may be designated by the governing body of said Confederated Tribes and approved by the Secretary of the Interior. The sixth paragraph under the heading "Forest Service" of the Act of May 23, 1908, and section 13 of the Act of March 1, 1911, both as amended (16 U. S. C., sec. 500), and the fourteenth paragraph under the heading "Forest Service" of the Act of March 4, 1913 (16 U. S. C., sec. 501), shall not be applicable to the money so received.

35 Stat. 260; 36 Stat. 963.

37 Stat. 843.

(b) The lands referred to in subsection (a) of this section are described as follows:

All lands of the United States included within the Mount Hood National Forest in the State of Oregon and lying and being within an area bounded by a line beginning at a point in the middle of the channel of the Deschutes River, established as the initial point of the Handley survey of 1871; thence in a direct line northwestwardly to the seven-and-one-half-mile post of the McQuinn survey of 1887; thence continuing northwestwardly along the line of the McQuinn survey to the thirty-mile post thereof at Little Dark Butte in the Cascade Mountains; thence following the McQuinn survey southwestwardly in a direct line to the summit of Mount Jefferson; thence northeastwardly in a direct line to the western terminus of the northern boundary of the Warm Springs Indian Reservation as established by the Act of June 6, 1894 (28 Stat. 86); thence along said northern boundary to the place of beginning.

(c) The lands described in subsection (b) of this section shall continue to be administered by the departments and agencies now administering them.

SEC. 2. The benefits herein granted to the Confederated Tribes of the Warm Springs Reservation of Oregon shall be in full satisfaction of all claims of such Indians asserted in the above-mentioned proceeding in the Court of Claims. Any remaining jurisdiction of the Court of Claims with respect to such proceeding is hereby withdrawn, and no court or commission shall have jurisdiction over the subject matter of such proceeding.

Effective date.

SEC. 3. This Act shall not become effective unless the Confederated Tribes of the Warm Springs Reservation of Oregon accept its provisions, in such manner as may be designated by the Secretary of the Interior, within one year after the approval hereof.

Approved July 3, 1948.

[CHAPTER 823]

AN ACT

July 3, 1948
[S. 2767]
[Public Law 893]

To provide assistance in the recruitment and distribution of farm labor for the increased production, harvesting, and preparation for market of agricultural commodities to meet domestic needs and foreign commitment.

Recruitment of foreign agricultural workers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the fiscal year ending June 30, 1949, the Administrator of the Federal Security Agency, in carrying out his responsibilities to maintain a farm placement service under the Act of June 6, 1933 (48 Stat. 113), as amended, is authorized to recruit foreign workers within the Western Hemisphere and workers in Puerto Rico for temporary agricultural employment in the continental United States and to direct, supervise, coordinate, and provide for the transportation of such workers from such places of recruitment to and between places of employment within the continental United States and return to the places of recruitment not later than June 30, 1949. There is hereby authorized to be appropriated such sums for the administration of the program authorized by this section as the Congress may deem necessary.

29 U. S. C. §§ 49-49k; Supp. I, § 49 note; 39 U. S. C. § 338.

Appropriation authorized.

Appropriation authorized.
Ante, p. 1032.

SEC. 2. There is hereby authorized to be appropriated for the establishment of a working capital fund for the fiscal year ending June 30, 1949, $2,500,000, such fund to be used only for the payment of expenses for transportation, lodging, and subsistence in connection with the temporary migration of foreign agricultural workers from foreign countries within the Western Hemisphere, and workers from Puerto Rico, to and between places of employment within the continental United States and return to the place of origin. Notwithstanding any other provisions of law, the employers utilizing such workers shall be required to reimburse such fund to such extent and in such manner and under such terms and conditions as the Administrator of the Federal Security Agency may by regulation or otherwise prescribe.

Approved July 3, 1948.

[CHAPTER 824]

JOINT RESOLUTION

July 3, 1948
[H. J. Res. 327]
[Public Law 894]

To authorize the issuance of a special series of stamps commemorative of Juliette Low, founder and organizer of Girl Scouting in the United States of America.

Juliette Low.
Commemorative postage stamp.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue at the earliest practicable date, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of Juliette Low, the founder and organizer of Girl Scouting in the United States of America.

Approved July 3, 1948.

[CHAPTER 825]

AN ACT

July 3, 1948
[H. R. 2798]
[Public Law 895]

To amend section 5, Home Owners' Loan Act of 1933, and for other purposes.

Home Owners' Loan Act of 1933, amendment.
48 Stat. 134.
12 U. S. C. § 1464 (i).
Conversions to State savings and loan institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (i) of section 5 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by adding the following provision at the end thereof:

"Any Federal savings and loan association may convert itself into a savings and loan type of institution organized pursuant to the laws of the State, District, or Territory (hereinafter referred to in this section as the State) in which the principal office of such Federal association is located: *Provided*, (1) That the State permits the conversion of any savings and loan type of institution of such State into a Federal savings and loan association; (2) that such conversion of a Federal savings and loan association into such a State institution is determined upon the vote in favor of such conversion cast in person or by proxy at a special meeting of members called to consider such action, specified by the law of the State in which the home office of the Federal association is located, as required by such law for a State-chartered institution to convert itself into a Federal association, but in no event upon a vote of less than 51 per centum of all the votes cast at such meeting, and upon compliance with other requirements reciprocally equivalent to the requirements of such State law for the conversion of a State-chartered institution into a Federal association; (3) that notice of the meeting to vote on conversion shall be given as herein provided and no other notice thereof shall be necessary; the notice shall expressly state that such meeting is called to vote thereon, as well as the time and place thereof, and such notice shall be mailed, postage prepaid, at least twenty and not more than thirty days prior to the date of the meeting, to each member of record of the Federal association at his last address as shown on the books of the Federal association and to the General

Manager of the Federal Savings and Loan Insurance Corporation, Washington, District of Columbia; (4) that, upon the effective date of the conversion, the association has repurchased the total amount invested in its shares by the Secretary of the Treasury; and (5) that if, upon the effective date of conversion, the Home Owners' Loan Corporation will hold of record shares of the association, its approval of the conversion has been obtained; (6) that, in the event of dissolution after conversion, the members or shareholders of the association will share on a mutual basis in the assets of the association in exact proportion to their relative share or account credits; (7) that such conversion shall be effective upon the date that all the provisions of this Act shall have been fully complied with and upon the issuance of a new charter by the State wherein the association is located; it being provided that its act of converting into a State-chartered institution shall constitute an agreement to be bound by all the requirements that the Federal Savings and Loan Insurance Corporation may legally impose under section 403 of title IV of the National Housing Act, as now or hereafter amended, and the association shall upon conversion and thereafter be authorized to issue securities in any form currently approved at the time of issue by the Federal Savings and Loan Insurance Corporation for issuance by similar insured institutions in such State, District, or Territory.

48 Stat. 1257.
12 U. S. C. § 1726.

"In addition to the foregoing provision for conversion upon a vote of the members only any association chartered as a Federal savings and loan association, including any having outstanding shares held by the Secretary of the Treasury or Home Owners' Loan Corporation, may convert itself into a State institution upon an equitable basis, subject to approval, by regulations or otherwise, by the Home Loan Bank Board and by the Federal Savings and Loan Insurance Corporation: *Provided*, That if the insurance of accounts is terminated in connection with such conversion, the notice and other action shall be taken as provided by law and regulations for the termination of insurance of accounts."

Termination of insurance of accounts.

47 Stat. 737; 48 Stat. 1256.
12 U. S. C. §§ 1439, 1725 (c).

SEC. 2. Section 19 of the Federal Home Loan Bank Act, as amended, and subsection (c) of section 402 of the National Housing Act, as amended, are hereby each amended by adding at the end thereof the following new sentence: "All necessary expenses in connection with the making of supervisory or other examinations (except examinations of Federal home loan banks), including the provision of services and facilities therefor, shall be considered as nonadministrative expenses."

Nonadministrative expenses.

Approved July 3, 1948.

[CHAPTER 826]

AN ACT

July 3, 1948
[H. R. 4044]
[Public Law 896]

To amend the Trading with the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

War Claims Act of 1948.

SECTION 1. This Act may be cited as the "War Claims Act of 1948".

WAR CLAIMS COMMISSION

SEC. 2. (a) There is hereby established a commission to be known as the War Claims Commission (hereinafter referred to as the "Commission") and to be composed of three persons to be appointed by the

President, by and with the advice and consent of the Senate. At least two of the members of the Commission shall be persons who have been admitted to the bar of the highest court of any State, Territory, or the District of Columbia. The members of the Commission shall receive compensation at the rate of $12,000 a year. The terms of office of the members of the Commission shall expire at the time fixed in subsection (d) for the winding up of the affairs of the Commission.

(b) The Commission may, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such officers, attorneys, and employees, and may make such expenditures, as may be necessary to carry out its functions. Officers and employees of any other department or agency of the Government may, with the consent of the head of such department or agency, be assigned to assist the Commission in carrying out its functions. The Commission may, with the consent of the head of any other department or agency of the Government, utilize the facilities and services of such department or agency in carrying out the functions of the Commission.

42 Stat. 1488. 5 U. S. C. §§ 661–674.

(c) The Commission may prescribe such rules and regulations as may be necessary to enable it to carry out its functions, and may delegate functions to any member, officer, or employee of the Commission. The Commission shall give public notice of the time when, and the limit of time within which, claims may be filed, which notice shall be published in the Federal Register. The limit of time within which claims may be filed with the Commission shall in no event be later than two years after the date of enactment of this Act.

Rules and regulations.

Time limitation for filing claims.

(d) The Commission shall wind up its affairs at the earliest practicable time after the expiration of the time for filing claims, but in no event later than three years after the expiration of such time.

JURISDICTION OF COMMISSION

SEC. 3. The Commission shall have jurisdiction to receive and adjudicate according to law claims as hereinafter provided.

EMPLOYEES OF CONTRACTORS

SEC. 4. (a) The Federal Security Administrator is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any person specified in section 101 (a) of the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes", approved December 2, 1942, as amended, or by the legal representative of any such person who may have died, for the amount by which (1) the total sum which would have been payable to such person by his employer (not including any payments for overtime), if such person's contract of employment had been in effect and he had been paid under it for the entire period during which he was entitled to receive benefits under section 101 (b) of such Act, exceeds (2) the entire amount creditable to such person's account for such period under the provisions of such section plus any amounts paid to such person by such employer for such period or recovered by such person in any legal action against such employer based upon such person's right against such employer for such period under the contract of employment, including payments in settlement of the liability of the employer arising under or out of such contract. No claim shall be allowed to any person under the provisions of this section unless such person executes a full release to the employer and to the United States in respect to the liability of the employer arising under or out of the contract of employment, except liability for workmen's compensation

Settlement of claims by Federal Security Administrator.

56 Stat. 1028. 42 U. S. C. § 1701 (a).

56 Stat. 1029. 42 U. S. C. § 1701 (b).

Release of employer and U. S. from liability.

55 Stat. 622.
42 U. S. C. §§ 1651-1654.
56 Stat. 1028.
42 U. S. C. §§ 1701-1706, 1711-1717, 1651.

benefits under the Act of August 16, 1941, as amended (42 U. S. C. 1651 and the following), or detention or other benefits paid under the Act of December 2, 1942, as amended (42 U. S. C. 1751 and the following). Any claim allowed under the provisions of this section shall be certified by the Administrator to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

Post, p. 1247.

Cancellation of obligations to U. S.

56 Stat. 1028.
42 U. S. C. § 1701 (a).

(b) (1) The Secretary of State is hereby authorized and directed to cancel any obligation to the United States of any person specified in section 101 (a) of such Act of December 2, 1942, to pay any sum which may have been advanced to or on behalf of any such person by the Department of State for the purpose of paying the costs of food and medical services furnished to such person during his period of internment by the Imperial Japanese Government or for the purpose of paying transportation or other expenses of repatriation.

56 Stat. 1028.
42 U. S. C. § 1701 (a).

(2) The Federal Security Administrator is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any person specified in section 101 (a) of such Act of December 2, 1942, for the repayment of any sum which may have been paid by such person to the Department of State in settlement of any obligation of the type referred to in paragraph (1) of this subsection. Any claim allowed under the provisions of this paragraph shall be certified by the Administrator to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

Post, p. 1247.

56 Stat. 1031.
42 U. S. C. § 1702 (a).

Total compensation.

39 Stat. 746.
5 U. S. C. § 764.

(c) Section 102 (a) of the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes", approved December 2, 1942, as amended, is hereby amended by striking out the proviso in such subsection and by substituting the following: "*Provided*, That the total compensation payable under this title for injury or death shall in no event exceed the limitations upon compensation as fixed in section 14 (m) of such Act as such section may from time to time be amended except that the total compensation shall not be less than that provided for in the original enactment of this Act: *Provided further*, That any amendment to such Act, the effect of which is to increase the amount of benefits payable for injury or death, shall be applied in the administration of this section as if the amendment had been in effect at the time of the particular injury or death and the compensation (except funeral and burial expenses) in any case previously determined shall be adjusted accordingly in respect to the beneficiary entitled thereto under the Act."

INTERNEES

"Civilian American citizen."

SEC. 5. (a) As used in this section, the term "civilian American citizen" means any person who, being then a citizen of the United States, was captured by the Imperial Japanese Government on or after December 7, 1941, at Midway, Guam, Wake Island, the Philippine Islands, or any Territory or possession of the United States attacked or invaded by such government, or while in transit to or from any such place, or who went into hiding at any such place in order to avoid capture or internment by such government; except (1) a person who at any time voluntarily gave aid to, collaborated with, or in any manner served such government, or (2) a person who at the time of his capture or entrance into hiding was (A) a person within the purview of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, and as extended; or (B) a person within the purview of the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United

Exceptions.

39 Stat. 742.
5 U. S. C. §§ 751-793.

States, and for other purposes", approved December 2, 1942, as amended; or (C) a person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143), as amended; or (D) a regularly appointed, enrolled, enlisted, or inducted member of any military or naval force.

56 Stat. 1028. 42 U. S. C. §§ 1701-1706, 1711-1717, 1651. 50 U. S. C. app. §§ 1001-1016; Supp. I, § 1001 *et seq.*

(b) The Commission is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by, or on behalf of, any civilian American citizen for detention benefits for any period of time subsequent to December 6, 1941, during which he was held by the Imperial Japanese Government as a prisoner, internee, hostage, or in any other capacity, or remained in hiding to avoid being captured or interned by such Imperial Japanese Government.

Detention benefits.

(c) The detention benefit allowed to any person under the provisions of subsection (b) shall be at the rate of $60 for each calendar month during which such person was at least eighteen years of age and at the rate of $25 per month for each calendar month during which such person was less than eighteen years of age.

Rate.

(d) The detention benefits allowed under subsection (b) shall be allowed to the person entitled thereto, or, in the event of his death, only to the following persons:

Payment to dependents.

(1) Widow or dependent husband if there is no child or children of the deceased;

(2) Widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children in equal shares; and

(3) Child or children of the deceased (in equal shares) if there is no widow or dependent husband.

(e) Any claim allowed under the provisions of subsection (b) shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act, and shall be payable by the Secretary of the Treasury to the person entitled thereto or to his legal or natural guardian if he has one.

Certification of claims.

Post, p. 1247.

(f) (1) Except as otherwise provided in this subsection, the provisions of titles I and II of the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes", approved December 2, 1942, as amended, are extended and shall apply with respect to the injury, disability, or death resulting from injury of a civilian American citizen occurring while he was held by or in hiding from the Imperial Japanese Government, to the same extent as if such civilian American citizen were an employee within the purview of such Act of December 2, 1942, as amended.

Extension of legislative provisions.

56 Stat. 1028, 1033. 42 U. S. C. §§ 1701-1706, 1711-1717.

(2) For the purpose of determining the benefits extended and made applicable by paragraph (1)—

Determination of benefits.

(A) the average weekly wage of any such civilian American citizen, whether employed, self-employed, or not employed, shall be deemed to have been $37.50;

(B) the provisions of such Act shall be applicable whether or not any such civilian American citizen was employed;

(C) notice of injury or death shall not be required; and limitation provisions with respect to the filing of claims for injury, disability, or death shall not begin to run until the date of enactment of this section; and

(D) the monthly compensation in cases involving partial disability shall be determined by the percentage the degree of partial disability bears to total disability and shall not be determined with respect to the extent of loss of wage earning capacity.

(3) The following provisions of such Act of December 2, 1942, as amended, shall not apply in the case of such civilian American citizens: Section 101 (b), section 104, and section 105.

56 Stat. 1029, 1031, 1032. 42 U. S. C. §§ 1701 (b), 1704, 1705.

(4) Rights or benefits which, under this subsection, are to be determined with reference to other provisions of law shall be determined with reference to such provisions of law as in force on January 3, 1948.

Disability or death benefits.

(5) The money benefit for disability or death shall be paid only to the person entitled thereto, or to his legal or natural guardian if he has one, and shall not upon death of the person so entitled survive for the benefit of his estate or any other person.

Minors or incompetents.

(6) The benefit of a minor or of an incompetent person who has no natural or legal guardian may, in the discretion of the Federal Security Administrator, be paid, in whole or in such part as he may determine for and on behalf of such minor or incompetent directly to the person or institution caring for, supporting, or having custody of such minor or incompetent.

(7) No person, except a widow or a child, shall be entitled to benefits for disability with respect to himself, and to death benefits on account of the death of another.

Payments if receiving other benefits.

(8) If a civilian American citizen or his dependent receives or has received from the United States any payments on account of the same injury or death, or from his employer, in the form of wages, or payments in lieu of wages, or in any form of support or compensation (including workmen's compensation) in respect to the same objects, the benefits under this section shall be diminished by the amount of such payments in the following manner: (A) Benefits on account of injury or disability shall be reduced by the amount of payments to the injured person on account of the same injury or disability; and (B) benefits on account of death shall be reduced by the amount of payments to the dependents of the deceased civilian American citizen on account of the same death.

Effective date.

(9) This subsection shall take effect as of December 7, 1941, and the right of individuals to benefits shall be held to have begun to accrue as though this subsection had been in effect as of such date.

PRISONERS OF WAR

"Prisoner of war."

SEC. 6. (a) As used in this section, the term "prisoner of war" means any regularly appointed, enrolled, enlisted, or inducted member of the military or naval forces of the United States who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which the United States has been at war subsequent to such date.

Compensation for violations concerning food.

(b) The Commission is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any prisoner of war for compensation for the violation by the enemy government by which he was held as a prisoner of war, or its agents, of its obligation to furnish him the quantity or quality of food to which he was entitled as a prisoner of war under the terms of the Geneva Convention of July 27, 1929. The compensation allowed to any prisoner of war under the provisions of this subsection shall be at the rate of $1 for each day he was held as a prisoner of war on which the enemy government or its agents failed to furnish him such quantity or quality of food. Any claim allowed under the provisions of this subsection shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

Post, p. 1247.

Payment to dependents.

(c) Claims pursuant to subsection (b) shall be paid to the person entitled thereto, or to his legal or natural guardian if he has one, and shall in case of death of the persons who are entitled be payable only to or for the benefit of the following persons:

(1) Widow or dependent husband if there is no child or children of the deceased;

(2) Widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children of the deceased in equal shares;

(3) Child or children of the deceased (in equal shares) if there is no widow or dependent husband; and

(4) Dependent parents (in equal shares) if there is no widow, dependent husband, or child.

RELIGIOUS ORGANIZATIONS

SEC. 7. The Commission is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any religious organization functioning in the Philippine Islands and affiliated with a religious organization in the United States, or by the personnel of any such Philippine organization, for reimbursement of expenditures incurred, or for payment of the fair value of supplies used, by such organization or such personnel for the purpose of furnishing shelter, food, clothing, hospitalization, medicines and medical services, and other relief in the Philippines to members of the armed forces of the United States or to civilian American citizens (as defined in section 5) at any time subsequent to December 6, 1941, and before August 15, 1945. Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

Ante, p. 1242.

Post, p. 1247.

REPORT WITH RESPECT TO PERSONAL INJURY AND PROPERTY CLAIMS

SEC. 8. (a) The Commission shall inquire into and report to the President, for submission of such report to the Congress on or before March 31, 1949, with respect to war claims arising out of World War II, other than claims which may be received and adjudicated under the preceding sections of this Act, and shall present in such report its findings on—

Contents of report.

(1) the estimated number and amount of such claims, classified by types and categories; and

(2) the extent to which such claims have been or may be satisfied under international agreements or domestic or foreign laws.

(b) The report of the Commission shall contain recommendations with respect to—

(1) categories and types of claims, if any, which should be received and considered and the legal and equitable bases therefor;

(2) the administrative method by which such claims should be considered, and any priorities or limitations which should be applicable; and

(3) any limitations which should be applied to the allowance and payment of fees in connection with such claims.

(c) The Commission shall include in such report—

(1) such other recommendations as it deems appropriate; and

(2) such proposals for legislation as it deems appropriate for carrying out the recommendations made in such report.

(d) Such report, with accompanying evidence, shall be printed as a public document when received by the Congress.

Publication.

(e) Nothing in this section shall be deemed to imply that the Congress will enact legislation—

(1) adopting any recommendations made under this section with respect to the consideration or payment of any type of claim; or

(2) making any moneys, including moneys remaining in the war claims fund after the making of payments from such fund provided for by this Act, available for the payment of such claims.

REPORTS TO CONGRESS

SEC. 9. Not later than six months after its organization, and every six months thereafter, the Commission shall make a report to the Congress concerning its operations under this Act.

REMUNERATION FOR SERVICES IN CONNECTION WITH CLAIMS

SEC. 10. No remuneration on account of services rendered or to be rendered to or on behalf of any claimant in connection with any claim filed with the administering agency under this Act shall exceed 10 per centum (or such lesser per centum as may be fixed by the administering agency with respect to any class of claims) of the amount allowed by the administering agency on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, pays or offers to pay, or promises, to pay, or receives, on account of services rendered or to be rendered in connection with any such claim, any remuneration in excess of the maximum permitted by this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both, and, if any such payment shall have been made or granted, the administering agency shall take such action as may be necessary to recover the same, and, in addition thereto any such claimant shall forfeit all rights under this Act.

Penalty.

HEARINGS WITH RESPECT TO CLAIMS

SEC. 11. The Commission shall notify all claimants of the approval or denial of their claims, and, if approved, shall notify such claimants of the amount for which such claims are approved. Any claimant whose claim is denied, or is approved for less than the full allowable amount of such claim, shall be entitled, under such regulations as the Commission may prescribe, to a hearing before the Commission or its representatives with respect to such claim. Upon such hearing, the Commission may affirm, modify, or revise its former action with respect to such claim, including a denial or reduction in the amount theretofore allowed with respect to such claim. The action of the Commission in allowing or denying any claim under this Act shall be final and conclusive on all questions of law and fact and not subject to review by any other official of the United States or by any court by mandamus or otherwise, and the Comptroller General is authorized and directed to allow credit in the accounts of any certifying or disbursing officer for payments in accordance with such action.

Finality of decision.

AMENDMENT TO TRADING WITH THE ENEMY ACT

SEC. 12. The Trading With the Enemy Act of October 6, 1917, as amended, is hereby amended by adding at the end thereof the following new section:

40 Stat. 411.
50 U. S. C. app. §§ 1-38; Supp. I, § 4 *et seq.*
Ante, p. 1218.

"SEC. 39. No property or interest therein of Germany, Japan, or any national of either such country vested in or transferred to any officer or agency of the Government at any time after December 17, 1941, pursuant to the provisions of this Act, shall be returned to former owners thereof or their successors in interest, and the United States shall not pay compensation for any such property or interest therein. The net proceeds remaining upon the completion of administration, liquidation, and disposition pursuant to the provisions of this Act of any such property or interest therein shall be covered into the Treasury at the earliest practicable date. Nothing in this section shall be construed to repeal or otherwise affect the operation of the provisions of section 32 of this Act or of the Philippine Property Act of 1946."

Nonreturn of property to former owner.

60 Stat. 50, 418.
50 U. S. C. app. § 32; Supp. I, § 32; 22 U. S. C. §§ 1381-1386; Supp. I, § 1382 note.

WAR CLAIMS FUND

SEC. 13. (a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the War Claims Fund. The War Claims Fund shall consist of all sums covered into the Treasury pursuant to the provisions of section 39 of the Trading With the Enemy Act of October 6, 1917, as amended. The moneys in such fund shall be available for expenditure only as provided in this Act or as may be provided hereafter by the Congress.

Ante, p. 1246.

(b) The Federal Security Administrator is authorized and directed to estimate and certify to the Secretary of the Treasury the total amount which will be required to pay all benefits payable as a result of the enactment of section 5 (f) of this Act. The Secretary of the Treasury shall transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount so certified by the Federal Security Administrator.

Ante, p. 1243.

(c) The Federal Security Administrator is authorized and directed to estimate and certify to the Secretary of the Treasury the total amount which will be required to pay all additional benefits payable as a result of the enactment of section 4 (c) of this Act. The Secretary of the Treasury shall transfer from the war claims fund to the general fund of the Treasury a sum equal to the total amount so certified by the Federal Security Administrator.

Ante, p. 1242.

(d) The Secretary of State is authorized and directed to certify to the Secretary of the Treasury the total amount of all obligations canceled pursuant to the provisions of section 4 (b) (1) of this Act. The Secretary of the Treasury shall transfer from the war claims fund to the general fund of the Treasury an amount equal to the total amount so certified.

Ante, p. 1242.

(e) There are hereby authorized to be appropriated, out of any money in the war claims fund, such sums as may be necessary to enable the Commission to carry out its functions under this Act.

Appropriation authorized.

PAYMENTS TO CERTAIN MEMBERS OF RELIGIOUS ORDERS

SEC. 14. In any case in which any money is payable as a result of the enactment of this Act to any person who is prevented from accepting such money by the rules, regulations, or customs of the church or the religious order or organization of which he is a member, such money shall be paid, upon the request of such person, to such church or to such religious order or organization.

Approved July 3, 1948.

[CHAPTER 827]

AN ACT

July 3, 1948
[H. R. 6248]
[Public Law 897]

To authorize the Secretary of Agriculture to stabilize prices of agricultural commodities; to amend section 22 of the Agricultural Adjustment Act, reenacted by the Agricultural Marketing Agreement Act of 1937; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1948".

Agricultural Act of 1948.

TITLE I—1949 PRICE STABILIZATION

SECTION 1. Notwithstanding any other provision of law, the Secretary of Agriculture is authorized and directed through any instrumentality or agency within or under the direction of the Department of Agriculture, by loans, purchases, or other operations—

(a) To support prices received by producers of cotton, wheat, corn, tobacco, rice, and peanuts marketed before June 30, 1950, if producers

Price support of certain commodities.

have not disapproved marketing quotas for such commodity for the marketing year beginning in the calendar year in which the crop is harvested. The price support authorized by this subsection shall be made available as follows:

(1) To cooperators at the rate of 90 per centum of the parity price for the commodity as of the beginning of the marketing year;

(2) To noncooperators at the rate of 60 per centum of the rate specified in (1) above and only on so much of the commodity as would be subject to penalty if marketed.

52 Stat. 31. 7 U. S. C. § 1281; Supp. I, § 1334 *et seq.*

All provisions of law applicable with respect to loans under the Agricultural Adjustment Act of 1938, as amended, shall, insofar as they are consistent with the provisions of this subsection, be applicable with respect to loans or other price-support operations authorized under this subsection, except that for the purpose of computing the parity price for Maryland tobacco the base period shall be the period August 1936 to July 1941 in lieu of the period August 1919 to July 1929.

Maryland tobacco.

Price support levels.

55 Stat. 408.

(b) To support until January 1, 1950, a price to producers of commodities with respect to which the Secretary of Agriculture by public announcement pursuant to the provisions of the Act of July 1, 1941, as amended, requested an expansion of production of not less than 60 per centum of the parity or comparable price therefor nor more than the level at which such commodity was supported in 1948, except that Irish potatoes harvested before January 1, 1949, milk and its products, hogs, chickens, and eggs shall be supported at 90 per centum of the parity or comparable price. The comparable price for any such commodity shall be determined and used by the Secretary for the purposes of this subsection if the production or consumption of such commodity has so changed in extent or character since the base period as to result in a price out of line with parity prices for the commodities referred to in (a) hereof. In carrying out the provisions of this subsection the Secretary of Agriculture shall have the authority to require compliance with production goals and marketing regulations as a condition to eligibility of producers for price support.

61 Stat. 769. 15 U. S. C., Supp. I, § 713a-8 note.

(c) Sections 1 and 3 of the Act approved August 5, 1947 (Public Law 360, Eightieth Congress), are amended by striking out in each section the date "December 31, 1948" wherever it appears and inserting in lieu thereof the date "June 30, 1950".

Policy of Congress.

(d) It is hereby declared to be the policy of the Congress that the lending and purchase operations of the Department of Agriculture (other than those referred to in subsections (a), (b), and (c) hereof) shall be carried out until January 1, 1950, so as to bring the price and income of the producers of other agricultural commodities not covered by subsections (a), (b), and (c) to a fair parity relationship with the commodities included under subsections (a), (b), and (c), to the extent that funds for such operations are available after taking into account the operations with respect to the commodities covered by subsections (a), (b), and (c). In carrying out the provisions of this subsection the Secretary of Agriculture shall have the authority to require compliance with production goals and marketing regulations as a condition to eligibility of producers for price support.

Availability of funds.

SEC. 2. From any funds available to the Department of Agriculture or any agency operating under its direction for price support operations or for the disposal of agricultural commodities, the Secretary of Agriculture is authorized and directed to use such sums as may be necessary to carry out the provisions of section 1 of this Act.

Ante, p. 1247.

SEC. 3. Section 22 of the Agricultural Adjustment Act, as added by section 31 of the Act of August 24, 1935 (49 Stat. 773), reenacted by section 1 of the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), as amended, is hereby amended to read as follows:

7 U. S. C. § 624.

Imports.

"SEC. 22. (a) Whenever the President has reason to believe that any article or articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program or operation undertaken under this title or the Soil Conservation and Domestic Allotment Act, as amended, or section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended, or any loan, purchase, or other program or operation undertaken by the Department of Agriculture, or any agency operating under its direction, with respect to any agricultural commodity or product thereof, or to reduce substantially the amount of any product processed in the United States from any agricultural commodity or product thereof with respect to which any such program or operation is being undertaken, he shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this section to determine such facts. Such investigation shall be made after due notice and opportunity for hearing to interested parties, and shall be conducted subject to such regulations as the President shall specify.

49 Stat. 163, 774.
16 U. S. C. §§ 590a–590q; Supp. I, § 590q; 7 U. S. C. § 612c; Supp. I, § 612c note.
Post, pp. 1250, 1257.

Investigations by U. S. Tariff Commission.

"(b) If, on the basis of such investigation and report to him of findings and recommendations made in connection therewith, the President finds the existence of such facts, he shall by proclamation impose such fees not in excess of 50 per centum ad valorem or such quantitative limitations on any article or articles which may be entered, or withdrawn from warehouse, for consumption as he finds and declares shown by such investigation to be necessary in order that the entry of such article or articles will not render or tend to render ineffective, or materially interfere with, any program or operation referred to in subsection (a), of this section, or reduce substantially the amount of any product processed in the United States from any such agricultural commodity or product thereof with respect to which any such program or operation is being undertaken: *Provided*, That no proclamation under this section shall impose any limitation on the total quantity of any article or articles which may be entered, or withdrawn from warehouse, for consumption which reduces such permissible total quantity to proportionately less than 50 per centum of the total quantity of such article or articles which was entered, or withdrawn from warehouse, for consumption during a representative period as determined by the President: *And provided further*, That in designating any article or articles, the President may describe them by physical qualities, value, use, or upon such other bases as he shall determine.

Proclamation imposing import restrictions.

Limitation on import restrictions.

"(c) The fees and limitations imposed by the President by proclamation under this section and any revocation, suspension, or modification thereof, shall become effective on such date as shall be therein specified, and such fees shall be treated for administrative purposes and for the purposes of section 32 of Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended, as duties imposed by the Tariff Act of 1930, but such fees shall not be considered as duties for the purpose of granting any preferential concession under any international obligation of the United States.

Effective date of restrictions.

49 Stat. 774.
7 U. S. C. § 612c; Supp. I, § 612c note.
Post, p. 1257.
46 Stat. 590.
19 U. S. C. § 1001 *et seq.*; Supp. I, § 1001 *et seq.*

"(d) After investigation, report, finding, and declaration in the manner provided in the case of a proclamation issued pursuant to subsection (b) of this section, any proclamation or provision of such proclamation may be suspended or terminated by the President whenever he finds and proclaims that the circumstances requiring the proclamation or provision thereof no longer exist or may be modified by the President whenever he finds and proclaims that changed circumstances require such modification to carry out the purposes of this section.

Ante, pp. 34, 161, 176, 207, 242, 344, 383, 583, 866, 990, 1002, 1054.

Suspension or termination of proclamation.

Finality of decision.

"(e) Any decision of the President as to facts under this section shall be final.

"(f) No proclamation under this section shall be enforced in contravention of any treaty or other international agreement to which the United States is or hereafter becomes a party."

49 Stat. 1149; 60 Stat. 663.
16 U. S. C. § 590h(a).

SEC. 4. Section 8 (a), as amended, of the Soil Conservation and Domestic Allotment Act is amended (a) by striking out "January 1, 1949" wherever appearing therein and inserting in lieu thereof "January 1, 1951", and (b) by striking out "December 31, 1948" and inserting in lieu thereof "December 31, 1950".

7 U. S. C. § 1312 note.

SEC. 5. Notwithstanding any of the provisions of this Act, the Act of July 28, 1945 (59 Stat. 506) shall continue in effect.

Effective date.

SEC. 6. This title shall take effect on January 1, 1949, except that sections 3 and 4 shall take effect on the date of enactment of this Act.

TITLE II—AMENDMENTS TO THE AGRICULTURAL ADJUSTMENT ACT OF 1938

DEFINITIONS OF "PARITY PRICE", "CARRY-OVER", "NORMAL SUPPLY", AND "TOTAL SUPPLY"

52 Stat. 38.
7 U. S. C. § 1301.

SEC. 201. Section 301 of the Agricultural Adjustment Act of 1938 is amended—

(a) By striking out paragraphs (1) and (2) of subsection (a) and inserting in lieu thereof the following:

"Parity price."

"(1) (A) The 'parity price' for any agricultural commodity, as of any date, shall be determined by multiplying the adjusted base price of such commodity as of such date by the parity index as of such date.

"Adjusted base price."

"(B) The 'adjusted base price' of any agricultural commodity, as of any date, shall be (i) the average of the prices received by farmers for such commodity, at such times as the Secretary may select during each year of the ten-year period ending on the 31st of December last before such date, or during each marketing season beginning in such period if the Secretary determines use of a calendar year basis to be impracticable, divided by (ii) the ratio of the general level of prices received by farmers for agricultural commodities during such period to the general level of prices received by farmers for agricultural commodities during the period January 1910 to December 1914, inclusive.

"Parity index."

"(C) The 'parity index', as of any date, shall be the ratio of (i) the general level of prices for articles and services that farmers buy, interest on farm indebtedness secured by farm real estate, and taxes on farm real estate, for the calendar month ending last before such date to (ii) the general level of such prices, rates, and taxes during the period January 1910 to December 1914, inclusive.

"(D) The prices and indices provided for herein, and the data used in computing them, shall be determined by the Secretary, whose determination shall be final.

"Transitional parity price."

"(E) Notwithstanding the provisions of subparagraph (A), the transitional parity price for any agricultural commodity, computed as provided in this subparagraph, shall be used as the parity price for such commodity until such date after January 1, 1950, as such transitional parity price may be lower than the parity price, computed as provided in subparagraph (A), for such commodity. The transitional parity price for any agricultural commodity as of any date shall be—

"(i) its parity price determined in the manner used prior to the effective date of the Agricultural Act of 1948, less

"(ii) five per centum of the parity price so determined multiplied by the number of full calendar years which, as of such date, have elapsed after January 1, 1949.

"(F) Notwithstanding the provisions of subparagraphs (A) and (E), if the parity price for any agricultural commodity, computed as provided in subparagraphs (A) and (E) appears to be seriously out of line with the parity prices of other agricultural commodities, the Secretary may, and upon the request of a substantial number of interested producers shall, hold public hearings to determine the proper relationship between the parity price of such commodity and the parity prices of other agricultural commodities. Within sixty days after commencing such hearing the Secretary shall complete such hearing, proclaim his findings as to whether the facts require a revision of the method of computing the parity price of such commodity, and put into effect any revision so found to be required.

Hearings respecting revision of method of computation.

"(2) 'Parity', as applied to income, shall be that gross income from agriculture which will provide the farm operator and his family with a standard of living equivalent to those afforded persons dependent upon other gainful occupation. 'Parity' as applied to income from any agricultural commodity for any year, shall be that gross income which bears the same relationship to parity income from agriculture for such year as the average gross income from such commodity for the preceding ten calendar years bears to the average gross income from agriculture for such ten calendar years."

"Parity."

(b) By amending paragraph (3) (A) of subsection (b) to read as follows:

52 Stat. 39. 7 U. S. C. § 1301 (b) (3) (A).

"(A) 'Carry-over', in the case of corn, rice, and peanuts for any marketing year shall be the quantity of the commodity on hand in the United States at the beginning of such marketing year, not including any quantity which was produced in the United States during the calendar year then current."

"Carry-over," corn, rice, and peanuts.

(c) By amending paragraph (3) (B) of subsection (b) to read as follows:

52 Stat. 39. 7 U. S. C. § 1301 (b) (3) (B).

"(B) 'Carry-over' of cotton for any marketing year shall be the quantity of cotton on hand within the United States at the beginning of such marketing year, which was produced in the United States prior to the beginning of the calendar year then current, plus the quantity on hand within the United States at the beginning of such marketing year which was produced outside the United States."

"Carry-over," cotton.

(d) By striking out paragraph (10) of subsection (b) and inserting in lieu thereof the following:

52 Stat. 41. 7 U. S. C. § 1301 (b) (10).

"(10) (A) 'Normal supply' in the case of corn, cotton, rice, wheat, and peanuts for any marketing year shall be (i) the estimated domestic consumption of the commodity for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus (ii) the estimated exports of the commodity for the marketing year for which normal supply is being determined, plus (iii) an allowance for carry-over. The allowance for carry-over shall be the following percentage of the sum of the consumption and exports used in computing normal supply: 7 per centum in the case of corn; 30 per centum in the case of cotton; 10 per centum in the case of rice; 15 per centum in the case of wheat; and 15 per centum in the case of peanuts. In determining normal supply the Secretary shall make such adjustments for current trends in consumption and for unusual conditions as he may deem necessary.

"Normal supply," corn, cotton, rice, wheat, and peanuts.

"(B) 'Normal supply' in the case of tobacco shall be a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports as an allowance for a normal carry-over."

"Normal supply," tobacco.

(e) By amending paragraph (16) of subsection (b) to read as follows:

52 Stat. 42. 7 U. S. C. § 1301 (b) (16).

"(A) 'Total supply' of cotton, wheat, corn, rice, and peanuts for any

"Total supply," cotton, wheat, corn, rice, peanuts.

marketing year shall be the carry-over of the commodity for such marketing year, plus the estimated production of the commodity in the United States during the calendar year in which such marketing year begins and the estimated imports of the commodity into the United States during such marketing year.

"Total supply," tobacco.

"(B) 'Total supply' of tobacco for any marketing year shall be the carry-over at the beginning of such marketing year plus the estimated production thereof in the United States during the calendar year in which such marketing year begins, except that the estimated production of type-46 tobacco during the marketing year with respect to which the determination is being made shall be used in lieu of the estimated production of such type during the calendar year in which such marketing year begins in determining the total supply of cigar filler and cigar binder tobacco."

PRICE SUPPORT

SEC. 202. (a) Section 302 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

52 Stat. 43.
7 U. S. C. § 1302.
Price support operations through Commodity Credit Corporation.

"SEC. 302. (a) The Secretary, through the Commodity Credit Corporation (except as provided in subsection (c)) and other means available to him, is authorized to support prices of agricultural commodities to producers through loans, purchases, payments, and other operations. Except as otherwise provided in this section, the amounts, terms, and conditions of such price support operations, and the extent to which such operations are carried out, shall, in the case of operations carried out by Commodity Credit Corporation, be determined by the Corporation with the approval and subject to the direction of the Secretary, and, in the case of operations carried out by other means, be determined by the Secretary. In making such determinations, consideration shall be given to (1) the supply of the commodity in relation to the demand therefor, (2) the price levels at which other commodities are being supported, (3) the availability of funds, (4) the perishability of the commodity, (5) its importance to agriculture and the national economy, (6) the ability to dispose of stocks acquired through a price support operation, (7) the need for offsetting temporary losses of export markets, and (8) the ability and willingness of producers to keep supplies in line with demand. Compliance by the producer with acreage allotments, production goals, and marketing practices prescribed by the Secretary may be required as a condition of eligibility for price support. The Secretary shall in all cases give consideration to the practicability of supporting prices indirectly, as by the development of improved merchandising methods, rather than directly by purchase or loan.

Availability of support operations.

"(b) (1) Price support shall be made available to producers of any basic agricultural commodity at levels determined as hereinafter provided in this subsection. On the basis of the latest available statistics of the Department of Agriculture as of the beginning of each marketing year for each such basic agricultural commodity, the Secretary shall, with respect to such marketing year and such basic agricultural commodity—

"(i) estimate the total supply;

"(ii) determine the normal supply; and

"Supply percentage."

"(iii) determine the percentage which the estimated total supply is of the normal supply (such percentage being referred to herein as the 'supply percentage').

Support level for cooperators.

"(2) The level at which the price of such basic agricultural commodity for such marketing year shall be supported for cooperators (other than cooperators outside the commercial corn-producing area, in the case of corn) shall not exceed 90 per centum of the parity price of such commodity as of the beginning of the marketing year or be less

than the percentage of its parity price as of the beginning of such marketing year determined from the following table:

If the supply percentage is:	The level of support shall be not less than the following percentage of the parity price:
Not more than 70	90
More than 70 but not more than 72	89
More than 72 but not more than 74	88
More than 74 but not more than 76	87
More than 76 but not more than 78	86
More than 78 but not more than 80	85
More than 80 but not more than 82	84
More than 82 but not more than 84	83
More than 84 but not more than 86	82
More than 86 but not more than 88	81
More than 88 but not more than 90	80
More than 90 but not more than 92	79
More than 92 but not more than 94	78
More than 94 but not more than 96	77
More than 96 but not more than 98	76
More than 98 but not more than 102	75
More than 102 but not more than 104	74
More than 104 but not more than 106	73
More than 106 but not more than 108	72
More than 108 but not more than 110	71
More than 110 but not more than 112	70
More than 112 but not more than 114	69
More than 114 but not more than 116	68
More than 116 but not more than 118	67
More than 118 but not more than 120	66
More than 120 but not more than 122	65
More than 122 but not more than 124	64
More than 124 but not more than 126	63
More than 126 but not more than 128	62
More than 128 but not more than 130	61
More than 130	60

"(3) Notwithstanding the foregoing provisions of this section—

"(A) the minimum level of price support to cooperators for any basic agricultural commodity shall be 120 per centum of the minimum level determined from the foregoing table, if acreage allotments are in effect at the beginning of the planting season for such commodity, or if marketing quotas are in effect at the beginning of the marketing year for such commodity; but in no case shall the level of price support for any commodity be increased thereby above 90 per centum of its parity price as of the beginning of the marketing year; and

"(B) the level of price support for any basic agricultural commodity normally marketed in any marketing year with respect to which marketing quotas have been disapproved by producers shall be 50 per centum of the parity price of such commodity as of the beginning of such marketing year.

Corn.

"(4) The level at which the price of corn shall be supported for cooperators outside the commercial corn-producing area shall be 75 per centum of the level at which the price is supported for cooperators in the commercial corn-producing area with respect to corn.

Tobacco.

"(5) Notwithstanding the foregoing provisions of this section, the level of price support to cooperators for any crop of tobacco for which marketing quotas are in effect shall be 90 per centum of its parity price as of the beginning of the marketing year.

Nonbasic agricultural commodity.

"(c) The support price for any nonbasic agricultural commodity shall not exceed 90 per centum of the parity price for the commodity as of the beginning of the marketing year or season in the case of a commodity marketed on a marketing year or seasonal basis, and as of January 1 in the case of any other commodity. Any price support operation undertaken with respect to either turkeys or chickens shall

Turkeys or chickens.

be applicable to all chickens, including broilers, appropriate adjustments being made as provided in subsection (e) of this section: *Provided*, That if any price support operation is undertaken with respect to either chickens or turkeys, the same parity price support operation shall be undertaken with respect to ducks and ducklings and other poultry. The price of wool shall be supported at such level, not in excess of 90 per centum nor less than 60 per centum of its parity price as of January 1, as the Secretary may consider necessary in order to encourage an annual production of approximately 360,000,000 pounds of shorn wool. The price of any kind of Irish potatoes harvested after December 31, 1949, shall be supported at not less than 60 per centum nor more than 90 per centum of the parity price for Irish potatoes as of the beginning of its marketing season. The Commodity Credit Corporation shall not carry out any operation to support the price of any nonbasic agricultural commodity (other than Irish potatoes) which is so perishable in nature as not to be reasonably storable without excessive loss or excessive cost; but any such operation may be carried out by the Secretary through other means available to him such as those provided by section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended: *Provided*, That the foregoing provisions shall not be construed to prohibit the Commodity Credit Corporation from supporting the price of any perishable nonbasic agricultural commodity by a loan, purchase, payment, or other operation undertaken with respect to a storable commodity processed from such perishable nonbasic agricultural commodity: *Provided further*, That the Secretary, in carrying out programs with respect to perishable and nonperishable commodities under section 32 of Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1935, as amended, and section 6 of the National School Lunch Act, may utilize the services and facilities of the Commodity Credit Corporation (including but not limited to procurement by contract) and make advance payments to it: *And provided further*, That in any fiscal year, if at the end of the preceding fiscal year the sums appropriated under said section 32 and remaining unexpended do not exceed $300,000,000, Commodity Credit Corporation may, as provided in section 302 (a) of this Act, carry out any operation to support the price of any such perishable, nonbasic agricultural commodity to the extent that the reserve for the postwar price support of agriculture established pursuant to the First Supplemental Appropriation Rescission Act of 1946 (60 Stat. 8) and other funds appropriated for agricultural price support are sufficient to cover any losses which may be incurred in connection with such operation.

Ducks, etc.

Wool.

Irish potatoes.

Perishable nonbasic agricultural commodity.

49 Stat. 774.
7 U. S. C. § 612c; Supp. I, § 612c note.
Post, p. 1257.

60 Stat. 231.
42 U. S. C. § 1755.

Ante, p. 1252.

"(d) Notwithstanding the foregoing provisions of this section, price support operations at levels in excess of the maximum level of price support otherwise prescribed in this section may be undertaken whenever it is determined by the Secretary after reasonable public notice and public hearing with records of said hearing and a finding thereon by said Secretary available to the public that price support at such increased levels is necessary in order to increase or maintain the production of any agricultural commodity in the interest of national security.

Price support at increased levels.

"(e) Appropriate adjustments may be made in the support price for any commodity for differences in grade, type, staple, quality, location, and other factors. Such adjustments shall be made in such manner that the average support price for such commodity in each marketing year will, on the basis of the anticipated incidence of such factors, be equal to the level determined as provided in this section for such marketing year.

Adjustments.

"(f) For the purposes of this section—

"(1) A 'cooperator' with respect to any basic agricultural commodity shall be a producer on whose farm the acreage planted to the commodity does not exceed the farm acreage allotment for the commodity under this title, or, in the case of price support for corn to a producer outside the commercial corn-producing area, a producer who complies with conditions of eligibility prescribed by the Secretary. For the purposes of this subsection a producer shall not be deemed to have exceeded his farm acreage allotment unless such producer knowingly exceeded such allotment. "Cooperator."

"(2) A 'basic agricultural commodity' shall mean any of the commodities cotton, wheat, corn, tobacco, rice, and peanuts of a crop harvested after December 31, 1949. "Basic agricultural commodity."

"(3) A 'nonbasic agricultural commodity' shall mean any agricultural commodity other than a basic agricultural commodity. "Nonbasic agricultural commodity."

"(g) No producer shall be personally liable for any deficiency arising from the sale of the collateral securing any loan made under authority of this section unless such loan was obtained through fraudulent representations by the producer. This provision shall not, however, be construed to prevent Commodity Credit Corporation or the Secretary from requiring producers to assume liability for deficiencies in the grade, quality, or quantity of commodities stored on the farm or delivered by them, for failure properly to care for and preserve commodities, or for failure or refusal to deliver commodities in accordance with the requirements of the program. Liability for deficiencies.

"(h) The Commodity Credit Corporation shall not sell any farm commodity owned or controlled by it at less than (1) a price determined on a pricing basis for its stocks of such commodity on hand, which makes due allowance for grade, type, quality, location, and other factors and which is reasonably calculated to reimburse it for costs incurred by it with respect to such stocks; (2) a price halfway between the support price, if any, and the parity price of such commodity; or (3) a price equivalent to 90 per centum of the parity price of such commodity, whichever price is the lowest, except that the foregoing restrictions shall not apply to (A) sales for new or byproduct uses; (B) sales of peanuts for the extraction of oil; (C) sales for seed or feed if such sales will not substantially impair any price-support program; (D) sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage; (E) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity; (F) sales for export; (G) sales of wool; and (H) sales for other than primary uses." Sale of farm commodities by Commodity Credit Corporation, price.

(b) Section 381 (c) of the Agricultural Adjustment Act of 1938 is repealed. 52 Stat. 67. 7 U. S. C. § 1381 (c); Supp. I, § 1381 note.

MARKETING QUOTAS

CORN

SEC. 203. (a) The first sentence of section 322 (a) of the Agricultural Adjustment Act of 1938 is amended to read as follows: Proclamation by Secretary. 52 Stat. 49. 7 U. S. C. § 1322 (a).

"Whenever in any calendar year the Secretary determines—

"(1) that the total supply of corn for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 20 per centum; or

"(2) that the total supply of corn for the marketing year ending in such calendar year is not less than the normal supply for the marketing year so ending, and that the average farm price for corn for three successive months of the marketing year so ending does not exceed 66 per centum of parity

the Secretary shall, not later than November 15 of such calendar year,

proclaim such fact and marketing quotas shall be in effect in the commercial corn producing area for the crop of corn grown in such area in the next succeeding calendar year and shall remain in effect until terminated in accordance with the provisions of this title."

52 Stat. 50. 7 U. S. C. § 1322 (b), (c).

(b) Sections 322 (b) and 322 (c) of the Agricultural Adjustment Act of 1938 and the joint resolution entitled "Joint resolution relating to section 322 of the Agricultural Adjustment Act of 1938, as amended", approved July 26, 1939 (53 Stat. 1125), are hereby repealed.

7 U. S. C. § 1322a.

52 Stat. 50. 7 U. S. C. § 1322 (d).

(c) Section 322 (d) of the Agricultural Adjustment Act of 1938 is amended (1) by striking out "(c)" and inserting in lieu thereof "(a)", and (2) by striking out "September" and inserting in lieu thereof "March".

WHEAT

Proclamation by Secretary. 52 Stat. 54. 7 U. S. C. § 1335 (a).

SEC. 204. (a) Section 335 (a) of the Agricultural Adjustment Act of 1938 is amended by striking out the first two sentences thereof and inserting in lieu thereof the following:

"Whenever in any calendar year the Secretary determines—

"(1) that the total supply of wheat for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 20 per centum; or

"(2) that the total supply of wheat for the marketing year ending in such calendar year is not less than the normal supply for the marketing year so ending, and that the average farm price for wheat for three successive months of the marketing year so ending does not exceed 66 per centum of parity

the Secretary shall, not later than July 1 of such calendar year, proclaim such fact and, during the marketing year beginning July 1 of the next succeeding calendar year and continuing throughout such marketing year, a national marketing quota shall be in effect with respect to the marketing of wheat."

52 Stat. 55. 7 U. S. C. § 1336.

(b) The first sentence of section 336 of the Agricultural Adjustment Act of 1938 is amended by striking out "June 10" and inserting in lieu thereof "July 25".

COTTON

Proclamation of quotas by Secretary. 52 Stat. 58. 7 U. S. C. § 1345.

SEC. 205. The first sentence of section 345 of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"Whenever during any calendar year the Secretary determines—

"(1) that the total supply of cotton for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 8 per centum; or

"(2) that the total supply of cotton for the marketing year ending in such calendar year is not less than the normal supply for such marketing year, and that the average farm price for cotton for three successive months of such marketing year does not exceed 66 per centum of parity

the Secretary shall, not later than November 15 of such calendar year, proclaim such fact and marketing quotas shall be in effect with respect to cotton during the marketing year beginning in the next succeeding calendar year."

RICE

Proclamation by Secretary. 52 Stat. 62. 7 U. S. C. § 1355 (a).

SEC. 206. The first sentence of section 355 (a) of the Agricultural Adjustment Act of 1938 is amended to read as follows:

"Whenever during any calendar year the Secretary determines—

"(1) that the total supply of rice for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 20 per centum; or

"(2) that the total supply of rice for the marketing year ending in such calendar year is not less than the normal supply for such marketing year, and that the average farm price for rice for three successive months of such marketing year does not exceed 66 per centum of parity

the Secretary shall, not later than December 31 of such calendar year, proclaim such fact and, during the marketing year beginning in the next succeeding calendar year and continuing throughout such marketing year, a national marketing quota shall be in effect with respect to the marketing of rice by producers."

SEC. 207. The Agricultural Adjustment Act of 1938 is amended— 52 Stat. 52. 7 U. S. C. § 1328.

(a) By inserting in section 328 after the words "outside the commercial corn-producing area" the following: "or imported";

(b) By inserting in section 333 after "for such crop" the following: "and imports"; 52 Stat. 53. 7 U. S. C. § 1333.

(c) By inserting in section 343 (a) after "August 1 of such succeeding calendar year" the following: "and imports"; 52 Stat. 56. 7 U. S. C. § 1343 (a).

(d) By striking out sections 359 (d) and 359 (e); 55 Stat. 91. 7 U. S. C. § 1359 (d), (e); Supp. I, § 1359 note.

(e) By striking out of section 385 "or loan" and inserting in lieu thereof "loan, or price support operation". 52 Stat. 68. 7 U. S. C. § 1385.

TOBACCO

SEC. 208. Section 312 (a) of the Agricultural Adjustment Act of 1938 is amended by inserting before the period at the end of the first sentence a colon and the following: "*Provided*, That the Secretary shall proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year, and shall proclaim a national marketing quota for Virginia sun-cured tobacco for each marketing year for which a quota is proclaimed for fire-cured tobacco, and, beginning on the first day of the marketing year next following and continuing throughout such year, a national marketing quota shall be in effect for the tobacco marketed during such marketing year." 52 Stat. 46. 7 U. S. C. § 1312 (a). National marketing quota.

TITLE III—MISCELLANEOUS

SECTION 32 FUNDS

SEC. 301. Section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., title 7, sec. 612c), is amended by adding at the end thereof the following: "The sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for the purposes of this section until expended; but any excess of the amount remaining unexpended at the end of any fiscal year over $300,000,000 shall, in the same manner as though it had been appropriated for the service of such fiscal year, be subject to the provisions of section 3690 of the Revised Statutes (U. S. C., title 31, sec. 712), and section 5 of the Act entitled 'An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes' (U. S. C., title 31, sec. 713)." 49 Stat. 774. 7 U. S. C., Supp. I, § 612c note. 18 Stat. 110.

"PARITY"—OTHER STATUTES

SEC. 302. (a) Section 2 (1) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, is amended to read as follows: 48 Stat. 32; 50 Stat. 246. 7 U. S. C. § 602 (1).

"(1) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such orderly marketing conditions for agricultural commodities in interstate commerce as will establish, as the prices to farmers, parity prices as defined by section 301 (a) (1) of the Agricultural Adjustment Act of 1938."

Ante, p. 1250.

(b) Section 8c (18) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, is amended to read as follows:

50 Stat. 247.
7 U. S. C. § 608c (18).
Milk.

"(18) The Secretary of Agriculture, prior to prescribing any term in any marketing agreement or order, or amendment thereto, relating to milk or its products, if such term is to fix minimum prices to be paid to producers or associations of producers, or prior to modifying the price fixed in any such term, shall ascertain the parity prices of such commodities. The prices which it is declared to be the policy of Congress to establish in section 2 of this title shall, for the purposes of such agreement, order, or amendment, be adjusted to reflect the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply and demand for milk or its products in the marketing area to which the contemplated marketing agreement, order, or amendment relates. Whenever the Secretary finds, upon the basis of the evidence adduced at the hearing required by section 8b or 8c, as the case may be, that the parity prices of such commodities are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply and demand for milk and its products in the marketing area to which the contemplated agreement, order, or amendment relates, he shall fix such prices as he finds will reflect such factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest. Thereafter, as the Secretary finds necessary on account of changed circumstances, he shall, after due notice and opportunity for hearing, make adjustments in such prices."

49 Stat. 751, 753.
7 U. S. C. §§ 608b, 608c.

Adjustments.

(c) Section 8c (17) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, is amended by striking out "and section 8e".

49 Stat. 761; 50 Stat. 246.
7 U. S. C. § 608c (17).

(d) Section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, is repealed.

49 Stat. 762; 50 Stat. 246.
7 U. S. C. § 608e.

(e) Section 4 of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting after the section designation the subsection designation "(a)" and by adding at the end thereof a new subsection to read as follows:

50 Stat. 249.
7 U. S. C. § 672.

"(b) Any program in effect under the Agricultural Adjustment Act, as reenacted and amended by this Act, on the effective date of section 302 of the Agricultural Act of 1948 shall continue in effect without the necessity for any amendatory action relative to such program, but any such program shall be continued in operation by the Secretary of Agriculture only to establish and maintain such orderly marketing conditions as will tend to effectuate the declared purpose set out in section 2 or 8c (18) of the Agricultural Adjustment Act, as reenacted and amended by this Act."

Ante, p. 1257.

Ante, p. 1257; *supra*.

(f) All references in other laws to—

(1) parity,

(2) parity prices,

(3) prices comparable to parity prices, or

(4) prices to be determined in the same manner as provided by the Agricultural Adjustment Act of 1938 prior to its amendment by this Act for the determination of parity prices,

with respect to prices for agricultural commodities and products

thereof, shall hereafter be deemed to refer to parity prices as determined in accordance with the provisions of section 301 (a) (1) of the Agricultural Adjustment Act of 1938, as amended by this Act.

Ante, p. 1250.

EFFECTIVE DATE

SEC. 303. Titles II and III of this Act shall take effect on January 1, 1950.

Ante, pp. 1250, 1257.

Approved July 3, 1948.

[CHAPTER 828]

AN ACT

July 3, 1948
[H. R. 6402]
[Public Law 898]

To provide for extension of the terms of office of the present members of the Atomic Energy Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (a) (2) of the Atomic Energy Act of 1946 is amended to read as follows:

Atomic Energy Act of 1946, amendment.
60 Stat. 756.
42 U. S. C. § 1802 (a) (2); Supp. I, § 1802 note.
Atomic Energy Commission.

"(2) Members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate. In submitting any nomination to the Senate, the President shall set forth the experience and the qualifications of the nominee. The term of office of each member of the Commission taking office prior to June 30, 1950, shall expire at midnight on June 30, 1950. The term of office of each member of the Commission taking office after June 30, 1950, shall be five years, except that (A) the terms of office of the members first taking office after June 30, 1950, shall expire, as designated by the President at the time of the appointment, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years, after June 30, 1950; and (B) any member appointed to fill a vacancy, occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Each member, except the Chairman, shall receive compensation at the rate of $15,000 per annum; and the Chairman shall receive compensation at the rate of $17,500 per annum. No member of the Commission shall engage in any other business, vocation, or employment than that of serving as a member of the Commission."

Approved July 3, 1948.

[CHAPTER 829]

AN ACT

July 3, 1948
[H. R. 6808]
[Public Law 899]

To permit refund or credit to brewers of taxes paid on beer lost in bottling operations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clauses (1), (2), (3), (4), and (5) of section 3154 (a) of the Internal Revenue Code are hereby redesignated (A), (B), (C), (D), and (E), and section 3154 (a) of such code is further amended by striking out "(a) ALLOWANCE.—" and inserting in lieu thereof the following:

Internal Revenue Code, amendments.
53 Stat. 368.
26 U. S. C. § 3154 (a) (1), (2), (3), (4), (5).

"(a) ALLOWANCE.—

"(1) UNSALABLE PRODUCTS—".

SEC. 2. Section 3154 (a) of such code is further amended by adding at the end thereof the following:

53 Stat. 368.
26 U. S. C. § 3154 (a).

"(2) Loss.—The Commissioner shall make refund, or in lieu thereof, if he so elects, allow credit to a brewer in the amount of tax paid by such brewer on any beer, lager beer, ale, porter, or other

similar fermented malt liquor manufactured by such brewer which was lost in his bottling house through breakage or leakage or in the process of filling, capping, pasteurizing, or labeling, upon the filing of a claim therefor by the brewer and proof by him to the satisfaction of the Commissioner that such beer, lager beer, ale, porter, or other similar fermented malt liquor was fully tax-paid and that no refund or credit was made or allowed therefor under paragraph (1) to this subsection. Refund or credit under this paragraph for such loss during any calendar month shall not exceed an amount equal to 2½ per centum of the tax paid by him on all beer, lager beer, ale, porter, or other similar fermented malt liquor removed by him during such calendar month from his brewery to his bottling house."

53 Stat. 368.
26 U. S. C. § 3154(b).

SEC. 3. Section 3154 (b) of such code is amended to read as follows:

"(b) TIME FOR FILING CLAIM.—No claim under the provisions of subsection (a) shall be allowed unless filed within ninety days after the close of the month within which such destruction or return to the brewery for use as brewing material, or loss, occurred."

Ante, p. 1259.

SEC. 4. The amendment made by section 2 shall be applicable only with respect to beer, lager beer, ale, porter, or other similar fermented malt liquor which is lost after the first day of the month in which falls the date of the enactment of this Act.

55 Stat. 713.
26 U. S. C. § 3404(d).

SEC. 5. That section 3404 (d) of the Internal Revenue Code (relating to manufacturers' excise taxes on musical instruments) is hereby amended to read as follows:

"(d) Musical instruments, but the tax imposed by this section shall not apply to musical instruments sold for the use of any religious or nonprofit educational institution for exclusively religious or educational purposes. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may prescribe by regulations."

53 Stat. 417.
26 U. S. C. § 3443 (a) (3) (A) (i).

SEC. 6. Section 3443 (a) (3) (A) (i) of the Internal Revenue Code (relating to credits and refunds) is hereby amended to read as follows:

"(i) resold for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or of the District of Columbia, or, in the case of musical instruments embraced in section 3404 (d), resold for the use of any religious or nonprofit educational institution for exclusively religious or educational purposes;".

Ante, p. 1259.

SEC. 7. The amendments made by sections 1 and 2 of this Act shall be applicable with respect to sales made after the date of enactment of this Act.

Approved July 3, 1948.

[CHAPTER 830]

July 3, 1948
[H. R. 6916]
[Public Law 900]

AN ACT

To provide for permanent postal rates and to provide pay increases for Government employees.

Postal Rate Revision and Federal Employees Salary Act of 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be cited as the "Postal Rate Revision and Federal Employees Salary Act of 1948".

TITLE I—ADDITIONAL COMPENSATION FOR POSTMASTERS AND EMPLOYEES IN THE FIELD SERVICE OF THE POST OFFICE DEPARTMENT

SEC. 101. All postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the Act entitled "An

Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, as amended, shall receive additional compensation at the rate of $450 per annum: *Provided*, That employees paid on an hourly or part-time basis shall receive additional compensation at the rate of 25 cents per hour: *Provided further*, That postmasters at post offices of the fourth class shall receive additional compensation at the rate of a sum per annum equal to 25 per centum of their basic annual compensation.

59 Stat. 435.
39 U. S. C. §§ 851–876; Supp. I, § 853 *et seq.*
Ante, pp. 490, 491, 1108, 1165.

SEC. 102. The provisions of this Act shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

Nonapplicability.

SEC. 103. (a) Sections 17 (e) and 22 (d) of such Act of July 6, 1945, as amended, are each amended by striking out "6 cents per mile" and inserting in lieu thereof "7 cents per mile".

59 Stat. 456, 460.
39 U. S. C. §§ 867 (e), 872 (d).

(b) Section 22 (d) of such Act of July 6, 1945, as amended, is further amended by striking out "75 cents" and inserting in lieu thereof "90 cents".

Supra.

(c) The Act entitled "An Act to increase the equipment maintenance of rural carriers 1 cent per mile per day traveled by each rural carrier for a period of two years, and for other purposes" (Public Law 467, Eightieth Congress), is hereby repealed.

Repeal.
Ante, p. 101.

SEC. 104. This title shall take effect on the first day of the first pay period which begins after June 30, 1948.

Effective date.

TITLE II—POSTAL RATE REVISION

AIR MAIL

SEC. 201. The rate of postage on all domestic air mail as defined in Public Law 730, Seventy-ninth Congress, shall, except in the case of postal cards and private mailing or post cards, be 6 cents for each ounce or fraction thereof. The rate of postage on postal cards and private mailing or post cards (conforming to the conditions prescribed by the Act entitled "An Act to amend the postal laws relating to use of postal cards", approved May 19, 1898 (U. S. C., 1940 edition, title 39, sec. 281)), when sent by air mail, shall be 4 cents each.

60 Stat. 1062.
39 U. S. C. §§ 463 and note, 462a.
Ante, p. 1098.
30 Stat. 419.
39 U. S. C. § 281.

THIRD-CLASS MAIL

SEC. 202. The rate of postage on third-class matter shall be 2 cents for the first two ounces or fraction thereof, and 1 cent for each additional ounce or fraction thereof up to and including eight ounces in weight, except that the rate of postage on books and catalogs of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants not exceeding eight ounces in weight shall be 1½ cents for each two ounces or fraction thereof: *Provided*, That upon payment of a fee of $10 for each calendar year or portion thereof and under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmission in the mails, separately addressed identical pieces of third-class matter in quantities of not less than twenty pounds, or of not less than two hundred pieces, subject to pound rates of postage applicable to the entire bulk mailed at one time: *Provided further*, That the rate of postage on third-class matter mailed in bulk under the foregoing provision shall be 14 cents for each pound or fraction thereof with a minimum charge per piece of 1 cent, except that in the case of books and catalogs of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants the rate shall be 10 cents for each pound or fraction thereof with a minimum charge per piece of 1 cent: *And provided further*, That pieces

Bulk mail.

Exceptions.

or packages of such size or form as to prevent ready facing and tying in bundles and requiring individual distributing throughout shall be subject to a minimum charge of 3 cents each.

CONTROLLED CIRCULATION PUBLICATIONS

SEC. 203. Publications containing twenty-four pages or more issued at regular intervals of four or more times a year, 25 per centum or more of whose pages are devoted to text or reading matter and not more than 75 per centum to advertising matter, which are circulated free or mainly free, may, upon authorization by the Postmaster General and under such regulations as he may prescribe, be accepted for mailing at the postage rate of 10 cents a pound or fraction thereof, computed on the entire bulk mailed at one time, but not less than 1 cent per piece, provided the copies of such publications are presented for mailing made up according to States, cities, and routes as directed by the Postmaster General: *Provided*, That publications owned and controlled by one or several individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control them shall not be accepted under this section.

Restriction.

FOURTH-CLASS (PARCEL POST) MAIL

SEC. 204. (a) On fourth-class matter (limit of weight over eight ounces to seventy pounds) the rate of postage except as herein provided for catalogs (limit of weight over eight ounces up to and including ten pounds), books, and library books, shall be by the pound as hereinafter provided, the postage in all cases to be prepaid by stamps affixed thereto or as otherwise prescribed by the Postmaster General.

(b) The rate of postage on matter of the fourth class shall be as follows:

(1) On all matter mailed at the post office from which a rural route starts, for delivery on such route, or mailed at any point on such route for delivery at any other point thereon, or at the office from which the route starts, or on any rural route starting therefrom, and on all matter mailed at a city-carrier office, or at any point within its delivery limits, for delivery by carriers from that office, or at any office for local delivery, the postage shall be 10 cents for the first pound or fraction thereof, 1 cent for each additional pound or fraction thereof up to an including ten pounds, and ¾ cent for each pound or fraction thereof exceeding ten pounds.

(2) For delivery within the first and second zones, except as provided for in paragraph (1), and except when the distance by the shortest regular mail route from the office of origin to the office of delivery is three hundred miles or more in which case the rates of postage shall be the same as for delivery within the third zone, 12 cents for the first pound or fraction thereof, 2⅑ cents for each additional pound or fraction thereof up to and including ten pounds, and 2 cents for each pound or fraction thereof exceeding ten pounds.

(3) For delivery within the third zone, 13 cents for the first pound or fraction thereof, 3 cents for each additional pound or fraction thereof up to and including ten pounds, and 2⅝ cents for each pound or fraction thereof exceeding ten pounds.

(4) For delivery within the fourth zone, 14 cents for the first pound or fraction thereof, 4½ cents for each additional pound or fraction thereof up to and including ten pounds, and 4¼ cents for each pound or fraction thereof exceeding ten pounds.

(5) For delivery within the fifth zone, 15 cents for the first pound or fraction thereof, 6 cents for each additional pound or fraction thereof up to and including ten pounds, and 5½ cents for each pound or fraction thereof exceeding ten pounds.

(6) For delivery within the sixth zone, 16 cents for the first pound or fraction thereof, 7½ cents for each additional pound or fraction thereof up to and including ten pounds, and 7¼ cents for each pound or fraction thereof exceeding ten pounds.

(7) For delivery within the seventh zone, 17 cents for the first pound or fraction thereof, 9½ cents for each additional pound or fraction thereof up to and including ten pounds, and 9¼ cents for each pound or fraction thereof exceeding ten pounds.

(8) For delivery within the eighth zone, 18 cents for the first pound or fraction thereof, 11½ cents for each additional pound or fraction thereof up to and including ten pounds, and 11¼ cents for each pound or fraction thereof exceeding ten pounds.

(9) On parcels measuring more than 84 inches but not more than one hundred inches in length and girth combined the minimum postage charge shall be the zone charge applicable to a ten-pound parcel.

Catalogs, etc.

(c) Catalogs and similar printed advertising matter in bound form weighing more than eight ounces but not exceeding ten pounds shall be subject to postage rates based on the eight parcel-post zones as follows:

(1) When mailed at the post office from which a rural route starts, for delivery on such route, or mailed at any point on such route for delivery at any other point thereon, or at the office from which the route starts, or on any rural route starting therefrom, and when mailed at a city-carrier office, or at any point within its delivery limits, for delivery by carriers from that office, or at any office for local delivery, the postage shall be 7½ cents for the first pound or fraction thereof and 1 cent for each additional pound.

(2) For delivery within the first and second zones, except as provided for in paragraph (1), and except when the distance by the shortest regular mail route from the office of origin to the office of delivery is three hundred miles or more in which case the rates of postage shall be the same as for delivery within the third zone, 8 cents for the first pound or fraction thereof and 1½ cents for each additional pound or fraction thereof.

(3) For delivery within the third zone, 9 cents for the first pound or fraction thereof and 2 cents for each additional pound or fraction thereof.

(4) For delivery within the fourth zone, 10 cents for the first pound or fraction thereof and 2½ cents for each additional pound or fraction thereof.

(5) For delivery within the fifth zone, 12 cents for the first pound or fraction thereof and 3 cents for each additional pound or fraction thereof.

(6) For delivery within the sixth zone, 13 cents for the first pound or fraction thereof and 4 cents for each additional pound or fraction thereof.

(7) For delivery within the seventh zone, 14 cents for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof.

(8) For delivery within the eighth zone, 15 cents for the first pound or fraction thereof and 6 cents for each additional pound or fraction thereof.

Permanently bound books.

(d) Books, permanently bound for preservation consisting wholly of reading matter or reading matter with incidental blank spaces for student's notations and containing no advertising matter other than

incidental announcements of books and when in parcels not exceeding seventy pounds in weight, may be sent at the postage rate of 8 cents for the first pound or fraction thereof and 4 cents for each additional pound or fraction thereof.

Books containing no advertising.

(e) Books, consisting wholly of reading matter and containing no advertising matter other than incidental announcements of books, when sent by public libraries, organizations, or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, as a service to county or other unit libraries or as a loan to readers or when returned by the latter libraries or readers to such public libraries, organizations, or associations shall be charged with postage at the rate of 4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof, except, that the rates now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection for books under this classification: *Provided*, That this rate shall apply only to such books as are addressed for local delivery, for delivery in the first, second, or third zone, or within the State in which mailed. Public libraries, organizations, or associations before being entitled to the foregoing rates shall furnish to the Postmaster General, under such regulations as he may prescribe, satisfactory evidence that none of their net income inures to the benefit of any private stockholder or individual.

Applicability of rate.

Special-handling stamps.

(f) To procure the most expeditious handling and transportation practicable of mail matter of the fourth class, special-handling stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than two pounds, 15 cents; matter weighing more than two but not more than ten pounds, 20 cents; matter weighing more than ten pounds, 25 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary stamps of equivalent value may be accepted in lieu of the special-handling stamps herein specified.

SPECIAL DELIVERY

SEC. 205. To procure the most expeditious handling and transportation practicable and the immediate delivery of mail matter at the office of address, special-delivery stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than two pounds, if of the first class, 15 cents; if of any other class, 25 cents. Matter weighing more than two but not more than ten pounds, if of the first class, 25 cents; if of any other class, 35 cents. Matter weighing more than ten pounds, if of the first class, 35 cents; if of any other class, 45 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-delivery stamps.

MONEY ORDERS

SEC. 206. A money order shall not be issued for more than $100, and the fees for domestic money orders shall be as follows: For orders less than $5 and 1 cent, 10 cents; for orders from $5 and 1 cent up to and including $10, 15 cents; for orders from $10 and 1 cent up to and including $50, 25 cents; for orders from $50 and 1 cent up to and including $100, 35 cents.

POSTAL NOTES

SEC. 207. (a) The Postmaster General may authorize postmasters at such offices as he shall designate, under such regulations as he shall

prescribe, to issue and pay money orders not exceeding $10, to be known as postal notes. The fee for issuance thereof shall be 8 cents each.

Validity of notes.

(b) Postal notes shall be valid for two calendar months from the last day of the month of their issue, but thereafter may be paid by the Postmaster General or refund may be made in case of loss, upon evidence satisfactory to him, under such regulations as he may prescribe: *Provided*, That no claim for the amount of a postal note will be considered unless filed within one year from the last day of the month of issue. Postal notes shall not be negotiable or transferrable through endorsement.

Filing of claim.

REGISTERED MAIL

Fees.

SEC. 208. (a) Mail matter shall be registered on the application of the party posting the same. The registry fees, which shall be in addition to the regular postage, and the limits of indemnity therefor within the maximum indemnity provided by this subsection, shall be as follows: For registry indemnity not exceeding $5, 25 cents; for registry indemnity exceeding $5 but not exceeding $25, 35 cents; for registry indemnity exceeding $25 but not exceeding $50, 40 cents; for registry indemnity exceeding $50 but not exceeding $75, 45 cents; for registry indemnity exceeding $75 but not exceeding $100, 50 cents; for registry indemnity exceeding $100 but not exceeding $200, 60 cents; for registry indemnity exceeding $200 but not exceeding $300, 70 cents; for registry indemnity exceeding $300 but not exceeding $400, 85 cents; for registry indemnity exceeding $400 but not exceeding $500, $1; for registry indemnity exceeding $500 but not exceeding $600, $1.10; for registry indemnity exceeding $600 but not exceeding $700, $1.20; for registry indemnity exceeding $700 but not exceeding $800, $1.30; for registry indemnity exceeding $800 but not exceeding $900, $1.40; for registry indemnity exceeding $900 but not exceeding $1,000, $1.50.

Surcharges.

(b) For registered mail having a declared value in excess of the maximum indemnity covered by the registry fee paid, there shall be charged additional fees (known as "surcharges") as follows: When the declared value exceeds the maximum indemnity covered by the registry fee paid by not more than $50, 2 cents; by more than $50 but not more than $100, 3 cents; by more than $100 but not more than $200, 4 cents; by more than $200 but not more than $400, 6 cents; by more than $400 but not more than $600, 7 cents; by more than $600 but not more than $800, 8 cents; by more than $800 but less than $1,000, 10 cents. If the excess of the declared value over the maximum indemnity covered by the registry fee paid is $1,000 or more, the additional fees for each $1,000 or part of $1,000 on articles destined to points within the several zones applicable to fourth-class matter shall be as follows: For local delivery or for delivery within the first zone, 11 cents; for delivery within the second zone, 12 cents; for delivery within the third zone, 14 cents; for delivery within the fourth zone, 15 cents; for delivery within the fifth or sixth zone, 16 cents; for delivery within the seventh or eighth zone, 18 cents.

Registered insured mail.

(c) For insured mail treated as registered mail having a declared value in excess of the maximum indemnity covered by the insurance fee paid, there shall be charged additional fees (known as "surcharges") as follows: When the declared value exceeds the maximum indemnity covered by the insurance fee paid by not more than $50, 1 cent; by more than $50 but not more than $100, 2 cents; by more than $100 but not more than $200, 3 cents; by more than $200 but not more than $400, 4 cents; by more than $400 but not more than $600, 5 cents; by more than $600 but not more than $800, 6 cents; by more than $800 but less

than $1,000, 7 cents. If the excess of the declared value over the maximum indemnity covered by the insurance fee paid is $1,000 or more, the additional fee for each $1,000 or part of $1,000 on articles destined to points within the several zones applicable to fourth-class matter shall be as follows: For local delivery or for delivery within the first zone, 8 cents; for delivery within the second zone, 9 cents; for delivery within the third zone, 10 cents; for delivery within the fourth zone, 11 cents; for delivery within the fifth or sixth zone, 12 cents; for delivery within the seventh or eighth zone, 13 cents.

Accounting.

(d) All such fees shall be accounted for in such manner as the Postmaster General shall direct. Mail matter for the official business of the Post Office Department which requires registering shall be registered free of charge, and pass through the mails free of charge.

RETURN RECEIPTS FOR REGISTERED MAIL

SEC. 209. Whenever the sender of any registered mail shall so request, and upon payment of a fee of 5 cents at the time of mailing or of 10 cents subsequent to the time of mailing, a receipt shall be obtained for such registered mail, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided*, That upon payment of the additional sum of 26 cents at the time of mailing of any such registered mail, a receipt shall be obtained for such registered mail, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for registered mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the postal service.

Receipt.

Refund.

FEES FOR INSURED MAIL

SEC. 210. The fees for insurance, which shall be in addition to the regular postage, and the limits of indemnity therefor within the maximum indemnity provided by this section, shall be as follows: 5 cents for indemnification not exceeding $5; 10 cents for indemnification exceeding $5 but not exceeding $10; 15 cents for indemnification exceeding $10 but not exceeding $25; 20 cents for indemnification exceeding $25 but not exceeding $50; 25 cents for indemnification exceeding $50 but not exceeding $100; 30 cents for indemnification exceeding $100 but not exceeding $200. Whenever the sender of an insured article of mail shall so request, and upon payment of a fee of 5 cents at the time of mailing or of 10 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided*, That upon payment of the additional sum of 26 cents at the time of mailing of any such insured article of mail, a receipt shall be obtained for such insured mail, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for insured mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the postal service.

Receipt.

Refund.

FEES FOR COLLECT-ON-DELIVERY MAIL

SEC. 211. The fees for collect-on-delivery service for sealed domestic mail matter of any class bearing postage at the first-class rate and for

domestic third- or fourth-class mail matter shall, in addition to the regular postage and any other required fees, be as follows: 20 cents for collections and indemnity not exceeding $2.50; 25 cents for collections and indemnity exceeding $2.50 but not exceeding $5; 35 cents for collections and indemnity exceeding $5 but not exceeding $25; 45 cents for collections and indemnity exceeding $25 but not exceeding $50; 55 cents for collections and indemnity exceeding $50 but not exceeding $100; 60 cents for collections and indemnity exceeding $100 but not exceeding $150; and 65 cents for collections and indemnity exceeding $150 but not exceeding $200. The fee for notifying the sender or his representative of inability to deliver a collect-on-delivery article shall be 5 cents.

RESTRICTION IN DELIVERY

SEC. 212. The Postmaster General, under such regulations as he may prescribe, is authorized to collect an additional fee of 20 cents for effecting the delivery by carrier or otherwise of domestic registered, insured, or collect-on-delivery mail, the delivery of which is restricted to the addressee only, or to the addressee or order: *Provided*, That no refund shall be made of fees paid for this service unless request for refund is made and erroneous delivery of the article or articles was made by the postal service or nondelivery of the article or articles was due to some fault of the postal service.

Refund.

REGISTERED COLLECT-ON-DELIVERY MAIL

SEC. 213. (a) The fee for collect-on-delivery service for registered sealed domestic mail of any class bearing postage at the first-class rate shall, in addition to the regular postage and any other required fees, be 55 cents for collections and indemnity not exceeding $10; 70 cents for collections and indemnity exceeding $10 but not exceeding $50; 90 cents for collections and indemnity exceeding $50 but not exceeding $100; and $1.15 for collections and indemnity exceeding $100 but not exceeding $200. The maximum amount of charges collectible on any registered sealed domestic collect-on-delivery article shall be $200.

(b) When indemnity in excess of $200 is desired, the fee for such registered sealed domestic collect-on-delivery mail shall, in addition to the regular postage and any other required fees, be $1.20 for indemnity exceeding $200 but not exceeding $300; $1.25 for indemnity exceeding $300 but not exceeding $400; $1.30 for indemnity exceeding $400 but not exceeding $500; $1.35 for indemnity exceeding $500 but not exceeding $600; $1.40 for indemnity exceeding $600 but not exceeding $700; $1.45 for indemnity exceeding $700 but not exceeding $800; and $1.55 for indemnity exceeding $800 but not exceeding $1,000.

Indemnity in excess of $200.

SEC. 214. This title shall take effect on January 1, 1949.

Effective date.

TITLE III—FEDERAL EMPLOYEES PAY INCREASES

SEC. 301. Except as provided in section 303, each officer and employee of the Federal Government, and each officer and employee of the District of Columbia municipal government, whose rate of compensation is increased by section 2, 3, 4, 5, or 6 of the Federal Employees Pay Act of 1946 shall receive additional compensation at the rate of $330 per annum: *Provided*, That any employee paid on an hourly or part-time basis shall receive additional compensation at the rate of 20 cents per hour.

Post, p. 1268.

60 Stat. 216, 217. 5 U. S. C. §§ 672b, 673, 942a, 942b, 931, 932, 934, 935.

SEC. 302. The additional compensation provided by this Act in the case of officers and employees whose rates of compensation are fixed in accordance with the Classification Act of 1923, as amended, shall not be construed to be an "equivalent increase" in compensation within the meaning of section 7 (b) (1) of such Act, as amended.

42 Stat. 1488. 5 U. S. C. §§ 661–674.

55 Stat. 613. 5 U. S. C. § 667 (b) (1).

59 Stat. 303.
5 U. S. C. § 943 (b).

SEC. 303. (a) Section 603 (b) of the Federal Employees Pay Act of 1945, as amended, is amended by striking out "$10,000" where it first appears in such section and inserting in lieu thereof "$10,330".

60 Stat. 218.
5 U. S. C. § 943a.

(b) Section 7 (b) of the Federal Employees Pay Act of 1946 is amended by striking out "$10,000" and inserting in lieu thereof "$10,330".

(c) No officer or employee shall, by reason of any provision of this title be paid with respect to any pay period, basic compensation, or basic compensation plus any additional compensation provided by the Federal Employees Pay Act of 1945, as amended, at a rate in excess of $10,330 per annum.

59 Stat. 295.
5 U. S. C. § 901 *et seq.*; Supp. I, § 902 *et seq.*

Nonapplicability.

SEC. 304. The provisions of this Act granting an increase in compensation to employees of the United States and of the District of Columbia shall not apply to any employee in or under the municipal government of the District of Columbia prior to the time that legislation providing adequate revenues to meet the obligation in the District of Columbia is enacted by the Congress and becomes effective.

Effective date.

SEC. 305. This title shall take effect on the first day of the first pay period which begins after June 30, 1948.

Approved July 3, 1948.

[CHAPTER 832]

AN ACT

August 10, 1948
[H. R. 6959]
[Public Law 901]

To amend the National Housing Act, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Act of 1948".

Housing Act of 1948.

TITLE I—FHA TITLE VI AND TRANSITIONAL PERIOD AMENDMENTS

SEC. 101. The National Housing Act, as amended, is hereby amended as follows:

TITLE VI AMENDMENTS

55 Stat. 56.
12 U. S. C., Supp. I, § 1738 (a).
Ante, p. 101.

(a) Section 603 (a) is amended—

(1) By striking out "$5,350,000,000" and inserting in lieu thereof "$5,750,000,000 except that with the approval of the President such aggregate amount may be increased to not to exceed $6,150,000,000";

Time limitation.

(2) By striking out the second proviso and inserting in lieu thereof the following: "*Provided further*, That no mortgage shall be insured under section 603 of this title after April 30, 1948, except (A) pursuant to a commitment to insure issued on or before April 30, 1948, or (B) a mortgage given to refinance an existing mortgage insured under section 603 of this title and which does not exceed the original principal amount and unexpired term of such existing mortgage, and no mortgage shall be insured under section 608 of this title after March 31, 1949, except (i) pursuant to a commitment to insure issued on or before March 31, 1949, or (ii) a mortgage given to refinance an existing mortgage insured under section 608 of this title and which does not exceed the original principal amount and unexpired term of such existing mortgage: *Provided further*, That no mortgage shall be insured under section 608 of this title unless the mortgagor certifies under oath that in selecting tenants for the property covered by the mortgage he will not discriminate against any family by reason of the fact that there are children in the family, and that he will not sell the property while the insurance is in effect unless the purchaser so certifies, such certifications to be filed with the Administrator; and violation of any such certification shall be a misdemeanor punishable by a fine of not to exceed $500:".

56 Stat. 303.
12 U. S. C. § 1743.
Post, p. 1269.

Nondiscrimination against families.

Penalty.

(b) Section 608 (b) (3) (B) is amended by striking out the semicolon and the word "and" at the end of the first proviso and inserting in lieu thereof a colon and the following: "*And provided further*, That the principal obligation of the mortgage shall not, in any event, exceed 90 per centum of the Administrator's estimate of the replacement cost of the property or project on the basis of the costs prevailing on December 31, 1947, for properties or projects of comparable quality in the locality where such property or project is to be located; and".

56 Stat. 303. 12 U. S. C. § 1743 (b) (3) (B).

Principal obligation.

(c) Section 608 (b) (3) (C) is amended—

(1) By striking out "$1,500 per room" and inserting in lieu thereof "$8,100 per family unit"; and

56 Stat. 303; 60 Stat. 214. 12 U. S. C. § 1743 (b) (3) (C).

(2) By striking out the colon and the proviso and inserting in lieu thereof a period.

(d) Section 609 is amended—

61 Stat. 193. 12 U. S. C., Supp. I, § 1744 (b) (1).

(1) By striking out all of paragraph (1) of subsection (b) and inserting in lieu thereof the following:

Purchase contracts.

"(1) The manufacturer shall establish that binding purchase contracts have been executed satisfactory to the Administrator providing for the purchase and delivery of the houses to be manufactured, which contracts shall provide for the payment of the purchase price at such time as may be agreed to by the parties thereto, but, in no event, shall the purchase price be payable on a date in excess of thirty days after the date of delivery of such houses, unless not less than 20 per centum of such purchase price is paid on or before the date of delivery and the lender has accepted and discounted or has agreed to accept and discount, pursuant to subsection (i) of this section a promissory note or notes, executed by the purchaser, representing the unpaid portion of such purchase price, in which event such unpaid portion of the purchase price may be payable on a date not in excess of one hundred and eighty days from the date of delivery of such houses;".

Post, p. 1270.

(2) By striking out the first and second sentences of paragraph (4) of subsection (b) and inserting in lieu thereof the following:

61 Stat. 194. 12 U. S. C., Supp. I, § 1744 (b) (4).

Loans for manufacture of houses.

"The loan shall involve a principal obligation in an amount not to exceed 90 per centum of the amount which the Administrator estimates will be the necessary current cost, exclusive of profit, of manufacturing the houses, which are the subject of such purchase contracts assigned to secure the loan, less any sums paid by the purchaser under said purchase contracts prior to the assignment thereof. The loan shall be secured by an assignment of the aforesaid purchase contracts and of all sums payable thereunder on or after the date of such assignment, with the right in the assignee to proceed against such security in case of default as provided in the assignment, which assignment shall be in such form and contain such terms and conditions, as may be prescribed by the Administrator; and the Administrator may require such other agreements and undertakings to further secure the loan as he may determine, including the right, in case of default or at any time necessary to protect the lender, to compel delivery to the lender of any houses then owned and in the possession of the borrower."

(3) By adding at the end of subsection (f) the following new sentence: "The provisions of section 603 (d) shall also be applicable to loans insured under this section and the reference in said section 603 (d) to a mortgage shall be construed to include a loan or loans with respect to which a contract of insurance is issued pursuant to this section."

61 Stat. 194. 12 U. S. C., Supp. I, § 1744 (f). 55 Stat. 58. 12 U. S. C. § 1738 (d).

61 Stat. 193.
12 U. S. C., Supp. I, § 1744.
Insurance of lender against loss.

(4) By adding at the end thereof the following new subsection:

"(i) (1) In addition to the insurance of the principal loan to finance the manufacture of housing, as provided in this section, and in order to provide short-term financing in the sale of houses to be delivered pursuant to the purchase contract or contracts assigned as security for such principal loan, the Administrator is authorized, under such terms and conditions and subject to such limitations as he may prescribe, to insure the lender against any losses it may sustain resulting from the acceptance and discount of a promissory note or notes executed by a purchaser of any such houses representing an unpaid portion of the purchase price of any such houses. No such promissory note or notes accepted and discounted by the lender pursuant to this subsection shall involve a principal obligation in excess of 80 per centum of the purchase price of the manufactured house or houses; have a maturity in excess of one hundred and eighty days from the date of the note or bear interest in excess of 4 per centum per annum; nor may the principal amount of such promissory notes, with respect to any individual principal loan, outstanding and unpaid at any one time, exceed in the aggregate an amount prescribed by the Administrator.

Promissory notes, terms.

"(2) The Administrator is authorized to include in any contract of insurance executed by him with respect to the insurance of a loan to finance the manufacture of houses, provisions to effectuate the insurance against any such losses under this subsection.

Default.

"(3) The failure of the purchaser to make any payment due under or provided to be paid by the terms of any note or notes executed by the purchaser and accepted and discounted by the lender under the provisions of this subsection, shall be considered as a default under this subsection, and if such default continues for a period of thirty days, the lender shall be entitled to receive the benefits of the insurance, as provided in subsection (d) of this section except that debentures issued pursuant to this subsection shall have a face value equal to the unpaid principal balance of the loan plus interest at the rate of 4 per centum per annum from the date of default to the date the application is filed for the insurance benefits.

61 Stat. 194.
12 U. S. C., Supp. I, § 1744 (d).

Debentures.

"(4) Debentures issued with respect to the insurance granted under this subsection shall be issued in accordance with the provisions of section 604 (d) except that such debentures shall be dated as of the date application is filed for the insurance benefits and shall bear interest from such date.

55 Stat. 59.
12 U. S. C. § 1739 (d).

Premium charge.

"(5) The Administrator is authorized to fix a premium charge for the insurance granted under this subsection, in addition to the premium charge authorized under subsection (h) of this section. Such premium charge shall not exceed an amount equivalent to 1 per centum of the original principal of such promissory note or notes and shall be paid at such time and in such manner as may be prescribed by the Administrator."

61 Stat. 777.
12 U. S. C., Supp. I, § 1745.

(e) Section 610 is amended by adding at the end thereof the following new paragraph:

Sale of Greenbelt towns, etc.

"The Administrator is further authorized to insure or to make commitments to insure in accordance with the provisions of this section any mortgage executed in connection with the sale by the Government, or any agency or official thereof, of any of the so-called Greenbelt towns, or parts thereof, including projects, or parts thereof, known as Greenhills, Ohio; Greenbelt, Maryland; and Greendale, Wisconsin, developed under the Emergency Relief Appropriation Act of 1935, or of any of the village properties under the jurisdiction of the Tennessee Valley Authority, and any mortgage executed in connection with the

49 Stat. 115.

first resale, within two years from the date of its acquisition from the Government, of any portion of a project or property which is the security for a mortgage insured pursuant to the provisions of this section."

(f) Title VI is amended by adding after section 610 the following new section: 55 Stat. 55; 61 Stat. 777.

"SEC. 611. (a) In addition to mortgages insured under other sections of this title, and in order to assist and encourage the application of cost-reduction techniques through large-scale modernized site construction of housing and the erection of houses produced by modern industrial processes, the Administrator is authorized to insure mortgages (including advances on such mortgages during construction) which are eligible for insurance as hereinafter provided. 12 U. S. C. §§ 1736-1743; Supp. I, §§ 1737, 1738, 1744, 1745. *Ante*, pp. 101, 1268; *post*, p. 1273. Large-scale projects.

"(b) To be eligible for insurance under this section, a mortgage shall— Eligibility for insurance.

"(1) have been made to and be held by a mortgagee approved by the Administrator as responsible and able to service the mortgage properly;

"(2) cover property, held by a mortgagor approved by the Administrator, upon which there is to be constructed or erected dwelling units for not less than twenty-five families consisting of a group of single-family dwellings approved by the Administrator for mortgage insurance prior to the beginning of construction: *Provided*, That during the course of construction there may be located upon the mortgaged property a plant for the fabrication or storage of such dwellings or sections or parts thereof, and the Administrator may consent to the removal or release of such plant from the lien of the mortgage upon such terms and conditions as he may approve; Storage plant.

"(3) involve a principal obligation in an amount—

"(A) not to exceed 80 per centum of the amount which the Administrator estimates will be the value of the completed property or project, exclusive of any plant of the character described in paragraph (2) of this subsection located thereon, and

"(B) not to exceed a sum computed on the individual dwellings comprising the total project as follows: $6,000 or 80 per centum of the valuation, whichever is less, with respect to each single-family dwelling.

"With respect to the insurance of advances during construction, the Administrator is authorized to approve advances by the mortgagee to cover the cost of materials delivered upon the mortgaged property and labor performed in the fabrication or erection thereof;

"(4) provide for complete amortization by periodic payments within such term as the Administrator shall prescribe and shall bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time: *Provided*, That the Administrator, with the approval of the Secretary of the Treasury, may prescribe by regulation a higher maximum rate of interest, not exceeding 4½ per centum per annum on the amount of the principal obligation outstanding at any time, if he finds that the mortgage market demands it. The Administrator may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release. Higher maximum interest rate. Release of property from lien, etc.

"(c) Preference or priority of opportunity in the occupancy of the mortgaged property for veterans of World War II and their immediate families and for hardship cases as defined by the Administrator Veterans' preference.

shall be provided under such regulations and procedures as may be prescribed by the Administrator.

56 Stat. 303. 12 U. S. C. § 1743 (c)-(f). *Ante*, p. 1269.

"(d) The provisions of subsections (c), (d), (e), and (f) of section 608 shall be applicable to mortgages insured under this section."

TITLE II AMENDMENTS

52 Stat. 10. 12 U. S. C. § 1709 (b) (2) (B).

(g) Section 203 (b) (2) (B) is amended by striking out "$5,400" and inserting in lieu thereof "$6,300".

52 Stat. 11. 12 U. S. C. § 1709 (b) (2) (C).

(h) Section 203 (b) (2) (C) is amended—

(1) By striking out "$8,600" and inserting in lieu thereof "$9,500";

(2) By striking out "$6,000" in each place where it appears and inserting in lieu thereof "$7,000";

(3) By striking out "$10,000" and inserting in lieu thereof "$11,000".

52 Stat. 11. 12 U. S. C. § 1709 (b) (3).

(i) Section 203 (b) is amended by striking out in paragraph numbered (3) the following: "of the character described in paragraph (2) (B) of this subsection" and inserting in lieu thereof the following: "on property approved for insurance prior to the beginning of construction".

52 Stat. 11. 12 U. S. C. § 1709 (b) (2) (C).

(j) Section 203 (b) is amended as follows:

(1) By striking out the period at the end of paragraph (2) (C), inserting in lieu thereof a comma and the word "or", and adding the following new paragraph:

Single-family dwelling.

"(D) not to exceed $6,000 and not to exceed 90 per centum of the appraised value, as of the date the mortgage is accepted for insurance (or 95 per centum if, in the determination of the Administrator, insurance of mortgages involving a principal obligation in such amount under this paragraph would not reasonably be expected to contribute to substantial increases in costs and prices of housing facilities for families of moderate income), of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for a single-family residence which is approved for mortgage insurance prior to the beginning of construction: *Provided*, That the Administrator may by regulation provide that the principal obligation of any mortgage eligible for insurance under this paragraph shall be fixed at a lesser amount than $6,000 where he finds that for any section of the country or at any time a lower-cost dwelling for families of lower income is feasible without sacrifice of sound standards of construction, design, and livability: *And provided further*, That with respect to mortgages insured under this paragraph the mortgagor shall be the owner and occupant of the property at the time of the insurance and shall have paid on account of the property at least 10 per centum (or 5 per centum, in the case of a 95 per centum mortgage insured pursuant to this paragraph (D)) of the appraised value in cash or its equivalent, or shall be the builder constructing the dwelling in which case the principal obligation shall not exceed 85 per centum of the appraised value of the property."

Amount less than $6,000.

Conditions.

52 Stat 11. 12 U. S. C. § 1709 (b) (3). *Supra.*

(2) By striking out the period at the end of paragraph numbered (3), and adding a comma and the following: "or not to exceed thirty years in the case of a mortgage insured under paragraph (2) (D) of this subsection."

52 Stat. 11. 12 U. S. C. § 1709 (b) (5). *Supra.*

(3) By striking out the period at the end of paragraph numbered (5), and adding a comma and the following: "or not to exceed 4 per centum per annum in the case of a mortgage insured under paragraph (2) (D) of this subsection, or not to exceed such per centum per annum, not in excess of 5 per centum, as the Administrator finds necessary to meet the mortgage market."

(k) (1) Section 203 (c) is amended (1) by striking out in the last sentence the words "section or section 210" and inserting in lieu thereof the word "title"; and (2) by striking out in said sentence the words "under this section". 52 Stat. 11. 12 U. S. C. § 1709 (c).

(2) Sections 203 (c) and 603 (c) of such Act are amended by striking out in the last sentence and in the next to the last sentence, respectively, the following: "and a mortgage on the same property is accepted for insurance at the time of such payment,". 52 Stat. 11; 55 Stat. 57. 12 U. S. C. §§ 1709 (c), 1738 (c).

(l) Section 204 (a) is amended— 52 Stat. 12; 55 Stat. 365. 12 U. S. C. § 1710 (a).

(1) By striking out, in the last sentence, the following: "prior to July 1, 1944,";

(2) By inserting between the first and second provisos in the last sentence the following: "*And provided further*, That with respect to mortgages which are accepted for insurance under section 203 (b) (2) (D) or under the second proviso of section 207 (c) (2) of this Act, there may be included in the debentures issued by the Administrator on account of the cost of foreclosure (or of acquiring the property by other means) actually paid by the mortgagee and approved by the Administrator an amount, not in excess of two-thirds of such cost or $75 whichever is the greater:". 52 Stat. 13; 57 Stat. 570. 12 U. S. C. § 1710 (a). *Ante*, pp. 1272, 1209; *infra*.

(m) Section 207 (b) is amended by amending paragraph numbered (1) to read as follows: 52 Stat. 17. 12 U. S. C. § 1713 (b) (1).

"(1) Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or limited dividend or redevelopment or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return, or methods of operation; or". Government instrumentalities, etc.

(n) Section 207 (c) is amended— 52 Stat. 18. 12 U. S. C. § 1713 (c). *Ante*, p. 1209.

(1) By amending the first sentence to read as follows:

"(c) To be eligible for insurance under this section a mortgage on any property or project shall involve a principal obligation in an amount— Eligibility provisions for mortgage insurance.

"(1) not to exceed $5,000,000, or, if executed by a mortgagor coming within the provisions of paragraph numbered (b) (1) of this section, not to exceed $50,000,000;

"(2) not to exceed 80 per centum of the amount which the Administrator estimates will be the value of the property or project when the proposed improvements are completed, including the land; the proposed physical improvements; utilities within the boundaries of the property or project; architects' fees; taxes and interest accruing during construction; and other miscellaneous charges incident to construction and approved by the Administrator: *Provided*, That, except with respect to a mortgage executed by a mortgagor coming within the provisions of paragraph numbered (b) (1) of this section, such mortgage shall not exceed the amount which the Administrator estimates will be the cost of the completed physical improvements on the property or project, exclusive of public utilities and streets and organization and legal expenses: *And provided further*, That, notwithstanding any of the provisions of this paragraph numbered (2), a mortgage with respect to a project to be constructed in a locality or metropolitan area where, as determined by the Administrator, there is a need for new dwellings for families of lower income at rentals comparable to the rentals proposed to be charged for the dwellings in such project (or, in the case of a mortgage with respect to a project of a nonprofit cooperative ownership housing corporation the permanent occupancy of the dwellings of which Limitation on amount of mortgage. *Supra*. Nonprofit cooperative projects, etc.

is restricted to members of such corporation, or a project constructed by a nonprofit corporation organized for the purpose of construction of homes for members of the corporation, at prices, costs, or charges comparable to the prices, costs, or charges proposed to be charged such members) may involve a principal obligation in an amount not exceeding 90 per centum of the amount which the Administrator estimates will be the value of the project when the proposed improvements are completed, except that in the case of a mortgage with respect to a project of a nonprofit cooperative ownership housing corporation whose membership consists primarily of veterans of World War II, the principal obligation may be in an amount not exceeding 95 per centum of the amount which the Administrator estimates as the replacement cost of the property or project on the basis of the costs prevailing on December 31, 1947, for properties or projects of comparable quality in the locality where such property or project is to be located; and

Cost per family unit.

"(3) not to exceed $8,100 per family unit for such part of such property or project as may be attributable to dwelling use, except that in the case of projects of the character described in the second proviso of section 207 (c) (2), if the Administrator finds that the needs of the members of any such corporation could more adequately be met by per room cost limitations, the mortgage may involve a principal obligation in an amount not to exceed $1,800 per room for such part of such project as may be attributable to dwelling use."

Ante, pp. 1209, 1273.

Amount per room.

(2) By striking out the period at the end of the second sentence, inserting in lieu thereof a comma, and adding the following: "except that with respect to mortgages insured under the provisions of the second proviso of paragraph numbered (2) of this subsection, which mortgages are hereby authorized to have a maturity of not exceeding forty years from the date of the insurance of the mortgage, such interest rate shall not exceed 4 per centum per annum."

(3) By adding the following additional sentence at the end thereof: "Such property or project may include such commercial and community facilities as the Administrator deems adequate to serve the occupants."

52 Stat. 19.
12 U. S. C. § 1713(g).

(o) Section 207 (g) of the National Housing Act, as amended, is hereby amended by striking out the number "2" appearing in clause (ii) and inserting in lieu thereof "1".

52 Stat. 19.
12 U. S. C. § 1713 (h) (1).

(p) Section 207 (h) is amended by striking out, in paragraph numbered (1), the words "paid to the mortgagor of such property", and inserting in lieu thereof the following: "retained by the Administrator and credited to the Housing Insurance Fund".

52 Stat. 14.
12 U. S. C. § 1710 (f).

(q) Section 204 (f) is amended by inserting in clause numbered (1), immediately preceding the semicolon, the following: "if the mortgage was insured under section 203 and shall be retained by the Administrator and credited to the Housing Insurance Fund if the mortgage was insured under section 207".

52 Stat. 10, 16.
12 U. S. C. §§ 1709, 1713.
Ante, pp. 1209, 1272, 1273; *supra; infra.*

52 Stat. 16.
12 U. S. C. § 1713.
Loans, etc.

(r) Section 207 of the National Housing Act, as amended, is hereby amended by adding the following new paragraph at the end thereof:

"(q) In order to assure an adequate market for mortgages on cooperative-ownership projects and rental-housing projects for families of lower income and veterans of the character described in the second proviso of paragraph numbered (2) of subsection (c) of this section, the powers of the Federal National Mortgage Association and of any other Federal corporation or other Federal agency hereafter established, to make real-estate loans, or to purchase, service, or sell any mortgages, or partial interests therein, may be utilized in connection with projects of the character described in said proviso."

Ante, pp. 1209, 1273.

TITLE I AMENDMENTS

(s) Section 2 is amended:

(1) By striking out "$165,000,000" in subsection (a) and inserting in lieu thereof "$200,000,000";

52 Stat. 9; 55 Stat. 364.
12 U. S. C. § 1703 (a), (b); Supp. I, § 1703 (a).

(2) By striking out "$3,000" in subsection (b) and inserting in lieu thereof "$4,500";

55 Stat. 364.
12 U. S. C. § 1703 (b).

(3) By striking out the first proviso in the first sentence of subsection (b) and inserting in lieu thereof the following: "*Provided*, That insurance may be granted to any such financial institution with respect to any obligation not in excess of $10,000 and having a maturity not in excess of seven years and thirty-two days representing any such loan, advance of credit, or purchase made by it if such loan, advance of credit, or purchase is made for the purpose of financing the alteration, repair, improvement, or conversion of an existing structure used or to be used as an apartment house or a dwelling for two or more families;";

Insurance to financial institutions.

(4) By striking out the last sentence of subsection (b).

SEC. 102. In order to aid housing production, the Reconstruction Finance Corporation is authorized to make loans to and purchase the obligations of any business enterprise for the purpose of providing financial assistance for the production of prefabricated houses or prefabricated housing components, or for large-scale modernized site construction. Such loans or purchases shall be made under such terms and conditions and with such maturities as the Corporation may determine: *Provided*, That to the extent that the proceeds of such loans or purchases are used for the purchase of equipment, plant, or machinery the principal obligation shall not exceed 75 per centum of the purchase price of such equipment, plant, or machinery: *And provided further*, That the total amount of commitments for loans made and obligations purchased under this section shall not exceed $50,000,000 outstanding at any one time, and no financial assistance shall be extended under this section unless it is not otherwise available on reasonable terms.

Loans by RFC.

Limitation on amount.

Total amount of commitments.

SEC. 103. The Servicemen's Readjustment Act of 1944, as amended, is hereby amended by striking out the period at the end of section 500 (b) and inserting in lieu thereof the following: "*And provided further*, That the Administrator, with the approval of the Secretary of the Treasury, may prescribe by regulation a higher maximum rate of interest than otherwise prescribed in this section for loans guaranteed under this title, but not exceeding 4½ per centum per annum, if he finds that the loan market demands it."

58 Stat. 291.
38 U. S. C. § 694 (b); Supp. I, § 694 note.
Higher maximum interest rate.

TITLE II—SECONDARY MARKET FOR GI HOME LOANS AND FEDERAL HOUSING ADMINISTRATION INSURED MORTGAGES

SEC. 201. Section 301 (a) (1) of the National Housing Act, as amended, is amended by striking out the words "which are insured after April 30, 1948, under section 203 or section 603 of this Act, or guaranteed under section 501, 502, or 505 (a) of the Servicemen's Readjustment Act of 1944, as amended" and inserting in lieu thereof the words "which are insured after April 30, 1948, under title II, or title VI of this Act, or guaranteed after April 30, 1948, under section 501, or section 502, or section 505 (a) of the Servicemen's Readjustment Act of 1944, as amended".

Ante, p. 1207.

Ante, pp. 101, 1272, 1268, 1273.
58 Stat. 292, 293.
38 U. S. C. §§ 694a, 694b, 694e (a).
48 Stat. 1247; 55 Stat. 55.
12 U. S. C. §§ 1707-1715b, 1736-1743; Supp. I, §§ 1737, 1738, 1744, 1745.

SEC. 202. Paragraph (E) of the proviso of section 301 (a) (1) of the National Housing Act, as amended, is amended by striking out in clause numbered (2) the figure "25" and inserting in lieu thereof the figure "50".

Ante, pp. 101, 1209, 1268-1274.
Ante, p. 1207.

TITLE III—STANDARDIZED BUILDING CODES AND MATERIALS

Research, etc.

SEC. 301. The Housing and Home Finance Administrator shall undertake and conduct technical research and studies to develop and promote the acceptance and application of improved and standardized building codes and regulations and methods for the more uniform administration thereof, and standardized dimensions and methods for the assembly of home-building materials and equipment.

Use of available facilities.

SEC. 302. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator shall utilize, to the fullest extent feasible, the available facilities of other departments, independent establishments, and agencies of the Federal Government, and, notwithstanding any other law, shall appoint a Director to administer under his general supervision the provisions of this title.

Appropriation authorized.

SEC. 303. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

TITLE IV—EQUITY INVESTMENT AIDS

SEC. 401. The National Housing Act, as amended, is hereby amended by adding the following new title:

"TITLE VII—INSURANCE FOR INVESTMENTS IN RENTAL HOUSING FOR FAMILIES OF MODERATE INCOME

"AUTHORITY TO INSURE

"SEC. 701. The purpose of this title is to supplement the existing systems of mortgage insurance for rental housing under this Act by a special system of insurance designed to encourage equity investment in rental housing at rents within the capacity of families of moderate income. To effectuate this purpose, the Administrator is authorized, upon application by the investor, to insure as hereinafter provided, and, prior to the execution of insurance contracts and upon such terms as the Administrator shall prescribe, to make commitments to insure, the minimum annual amortization charge and an annual return on the outstanding investment of such investor in any project which is eligible for insurance as hereinafter provided in an amount (herein called the 'insured annual return') equal to such rate of return, not exceeding 2¾ per centum per annum, on such outstanding investment as shall, after consultation with the Secretary of the Treasury, be fixed in the insurance contract or in the commitment to insure: *Provided*, That any insurance contract made pursuant to this title shall expire as of the first day of the operating year for which the outstanding investment amounts to not more than 10 per centum of the established investment: *And provided further*, That the aggregate amount of contingent liabilities outstanding at any one time under insurance contracts and commitments to insure made pursuant to this title shall not exceed $1,000,000,000.

Expiration of insurance contract.

Aggregate amount of liabilities.

"ELIGIBILITY

"SEC. 702. (a) To be eligible for insurance under this title, a project shall meet the following conditions:

"(1) The Administrator shall be satisfied that there is, in the locality or metropolitan area of such project, a need for new rental dwellings at rents comparable to the rents proposed to be charged for the dwellings in such project.

"(2) Such project shall be economically sound, and the dwellings in such project shall be acceptable to the Administrator as to quality, design, size, and type.

"(b) Any insurance contract executed by the Administrator under this title shall be conclusive evidence of the eligibility of the project and the investor for such insurance, and the validity of any insurance contract so executed shall be incontestable in the hands of an investor from the date of the execution of such contract, except for fraud or misrepresentation on the part of such investor.

"PREMIUMS AND FEES

"SEC. 703. (a) For insurance granted pursuant to this title the Administrator shall fix and collect a premium charge in an amount not exceeding one-half of 1 per centum of the outstanding investment for the operating year for which such premium charge is payable without taking into account the excess earnings, if any, applied, in addition to the minimum annual amortization charge, to amortization of the outstanding investment. Such premium charge shall be payable annually in advance by the investor, either in cash or in debentures issued by the Administrator under this title at par plus accrued interest: *Provided*, That, if in any operating year the gross income shall be less than the operating expenses, the premium charge payable during such operating year shall be waived, but only to the extent of the amount of the difference between such expenses and such income and subject to subsequent payment out of any excess earnings as hereinafter provided.

Waiver of premium charge.

"(b) With respect to any project offered for insurance under this title, the Administrator is authorized to charge and collect reasonable fees for examination, and for inspection during the construction of the project: *Provided*, That such fees shall not aggregate more than one-half of 1 per centum of the estimated investment.

"RENTS

"SEC. 704. The Administrator shall require that the rents for the dwellings in any project insured under this title shall be established in accordance with a rent schedule approved by the Administrator, and that the investor shall not charge or collect rents for any dwellings in the project in excess of the appropriate rents therefor as shown in the latest rent schedule approved pursuant to this section. Prior to approving the initial or any subsequent rent schedule pursuant to this section, the Administrator shall find that such schedule affords reasonable assurance that the rents to be established thereunder are (1) not lower than necessary, together with all other income to be derived from or in connection with the project, to produce reasonably stable revenues sufficient to provide for the payment of the operating expenses, the minimum annual amortization charge, and the minimum annual return; and (2) not higher than necessary to meet the need for dwellings for families of moderate income.

"EXCESS EARNINGS

"SEC. 705. For all of the purposes of any insurance contract made pursuant to this title, 50 per centum of the excess earnings, if any, for any operating year may be applied, in addition to the minimum annual return, to return on the outstanding investment but only to the extent that such application thereof does not result in an annual return of more than 5 per centum of the outstanding investment for such operating year, and the balance of any such excess earnings shall be applied, in addition to the minimum annual amortization charge, to amortization of the outstanding investment: *Provided*, That if in any preceding operating years the gross income shall have been less than the operating expenses, such excess earnings shall be applied to the extent necessary

in whole or in part, first, to the reimbursement of the amount of the difference between such expenses (exclusive of any premium charges previously waived hereunder) and such income, and, second, to the payment of any premium charges previously waived hereunder.

"FINANCIAL STATEMENTS

"SEC. 706. With respect to each project insured under this title, the Administrator shall provide that, after the close of each operating year, the investor shall submit to him for approval a financial and operating statement covering such operating year. If any such financial and operating statement shall not have been submitted or, for proper cause, shall not have been approved by the Administrator, payment of any claim submitted by the investor may, at the option of the Administrator, be withheld, in whole or in part, until such statement shall have been submitted and approved.

"PAYMENT OF CLAIMS

"SEC. 707. If in any operating year the net income of a project insured under this title is less than the aggregate of the minimum annual amortization charge and the insured annual return, the Administrator, upon submission by the investor of a claim for the payment of the amount of the difference between such net income and the aggregate of the minimum annual amortization charge and the insured annual return and after proof of the validity of such claim, shall pay to the investor, in cash from the Housing Investment Insurance Fund, the amount of such difference, as determined by the Administrator, but not exceeding, in any event, an amount equal to the aggregate of the minimum annual amortization charge and the insured annual return.

"DEBENTURES

Acquisition of project by Administrator.

"SEC. 708. (a) If the aggregate of the amounts paid to the investor pursuant to section 707 hereof with respect to a project insured under this title shall at any time equal or exceed 15 per centum of the established investment, the Administrator thereafter shall have the right, after written notice to the investor of his intentions so to do, to acquire, as of the first day of any operating year, such project in consideration of the issuance and delivery to the investor of debentures having a total face value equal to 90 per centum of the outstanding investment for such operating year. In any such case the investor shall be obligated to convey to said Administrator title to the project which meets the requirements of the rules and regulations of the Administrator in force at the time the insurance contract was executed and which is evidenced in the manner prescribed by such rules and regulations, and, in the event that the investor fails so to do, said Administrator may, at his option, terminate the insurance contract.

Conveyance of title to Administrator.

"(b) If in any operating year the aggregate of the differences between the operating expenses (exclusive of any premium charges previously waived hereunder) and the gross income for the preceding operating years, less the aggregate of any deficits in such operating expenses reimbursed from excess earnings as hereinbefore provided, shall at any time equal or exceed 5 per centum of the established investment, the investor shall thereafter have the right, after written notice to the Administrator of his intention so to do, to convey to the Administrator, as of the first day of any operating year, title to the project which meets the requirements of the rules and regulations of the Administrator in force at the time the insurance contract

was executed and which is evidenced in the manner prescribed by such rules and regulations, and to receive from the Administrator debentures having a total face value equal to 90 per centum of the outstanding investment for such operating year.

Adjustments.

"(c) Any difference, not exceeding $50, between 90 per centum of the outstanding investment for the operating year in which a project is acquired by the Administrator pursuant to this section and the total face value of the debentures to be issued and delivered to the investor pursuant to this section shall be adjusted by the payment of cash by the Administrator to the investor from the Housing Investment Insurance Fund.

Termination of insurance.

"(d) Upon the acquisition of a project by the Administrator pursuant to this section, the insurance contract shall terminate.

Terms and conditions of debentures.

"(e) Debentures issued under this title to any investor shall be executed in the name of the Housing Investment Insurance Fund as obligor, shall be signed by the Administrator, by either his written or engraved signature, and shall be negotiable. Such debentures shall be dated as of the first day of the operating year in which the project for which such debentures were issued was acquired by the Administrator, shall bear interest at a rate to be determined by the Administrator, with the approval of the Secretary of the Treasury, at the time the insurance contract was executed, but not to exceed 2¾ per centum per annum, payable semiannually on the 1st day of January and the 1st day of July of each year, and shall mature on the 1st day of July in such calendar year or years, not later than the fortieth following the date of the issuance thereof, as shall be determined by the Administrator and stated on the face of such debentures.

"(f) Such debentures shall be in such form and in such denominations in multiples of $50, shall be subject to such terms and conditions, and may include such provisions for redemption as shall be prescribed by the Administrator, with the approval of the Secretary of the Treasury, and may be issued in either coupon or registered form.

Tax exemption; exception.

"(g) Such debentures shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by any Territory, dependency, or possession of the United States, or by the District of Columbia, or by any State, county, municipality, or local taxing authority, shall be payable out of the Housing Investment Insurance Fund, which shall be primarily liable therefor, and shall be fully and unconditionally guaranteed, as to both the principal thereof and the interest thereon, by the United States, and such guaranty shall be expressed on the face thereof. In the event that the Housing Investment Insurance Fund fails to pay upon demand, when due, the principal of or the interest on any debentures so guaranteed, the Secretary of the Treasury shall pay to the holders the amount thereof, which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon, to the extent of the amount so paid, the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures.

Payment by Secretary of Treasury.

Powers of Administrator in property transactions.

"(h) Notwithstanding any other provisions of law relating to the acquisition, handling, or disposal of real and other property by the United States, the Administrator shall have power, for the protection of the Housing Investment Insurance Fund, to pay out of said Fund all expenses or charges in connection with, and to deal with, complete, reconstruct, rent, renovate, modernize, insure, make contracts for the management of, or establish suitable agencies for the management of, or sell for cash or credit or lease in his discretion, in whole or in part, any project acquired pursuant to this title; and, notwithstanding any other provisions of law, the Administrator shall also have power to

pursue to final collection by way of compromise or otherwise all claims acquired by, or assigned or transferred to, him in connection with the acquisition or disposal of any project pursuant to this title: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any contract for hazard insurance, or to any purchase or contract for services or supplies on account of any project acquired pursuant to this title if the amount of such purchase or contract does not exceed $1,000.

41 U. S. C. § 5.

"TERMINATION

"SEC. 709. The investor, after written notice to the Administrator of his intention so to do, may terminate, as of the close of any operating year, any insurance contract made pursuant to this title. The Administrator shall prescribe the events and conditions under which said Administrator shall have the option to terminate any insurance contract made pursuant to this title, and the events and conditions under which said Administrator may reinstate any insurance contract terminated pursuant to this section or section 708 (a). If any insurance contract is terminated pursuant to this section, the Administrator may require the investor to pay an adjusted premium charge in such amount as the Administrator determines to be equitable, but not in excess of the aggregate amount of the premium charges which such investor otherwise would have been required to pay if such insurance contract had not been so terminated.

Ante, p. 1278.

"INSURANCE FUND

"SEC. 710. There is hereby created a Housing Investment Insurance Fund which shall be used by the Administrator as a revolving fund for carrying out the provisions of this title and for administrative expenses in connection therewith. For this purpose, the Secretary of the Treasury shall make available to the Administrator such funds as the Administrator shall deem necessary, but not to exceed $10,000,000, which amount is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated. Premium charges, adjusted premium charges, inspection and other fees, service charges, and any other income received by the Administrator under this title, together with all earnings on the assets of such Housing Investment Insurance Fund, shall be credited to said Fund. All payments made pursuant to claims of investors with respect to projects insured under this title, cash adjustments, the principal of and interest on debentures issued under this title, expenses incurred in connection with or as a consequence of the acquisition and disposal of projects acquired under this title, and all administrative expenses in connection with this title, shall be paid from said Fund. The faith of the United States is solemnly pledged to the payment of all approved claims of investors with respect to projects insured under this title, and, in the event said Fund fails to make any such payment when due, the Secretary of the Treasury shall pay to the investor the amount thereof, which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated. Moneys in the Housing Investment Insurance Fund not needed for current operations under this title shall be deposited with the Treasurer of the United States to the credit of said Fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed by, the United States. The Administrator may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under this title. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

Appropriation authorized.
Post, p. 1290.

Credit of fees, etc., to Fund.

Payment of claims by Secretary of Treasury.

Purchase of debentures.

"TAXATION PROVISIONS

"SEC. 711. Nothing in this title shall be construed to exempt any real property acquired and held by the Administrator under this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"RULES AND REGULATIONS

"SEC. 712. The Administrator may make such rules and regulations as may be necessary or desirable to carry out the provisions of this title, including, without limiting the foregoing, rules and regulations relating to the maintenance by the investor of books, records, and accounts with respect to the project and the examination of such books, records, and accounts by representatives of the Administrator; the submission of financial and operating statements and the approval thereof; the submission of claims for payments under insurance contracts, the proof of the validity of such claims, and the payment or disallowance thereof; the increase of the established investment if the investor shall make capital improvements or additions to the project; the decrease of the established investment if the investor shall sell part of the project; and the reduction of the outstanding investment for the appropriate operating year or operating years pending the restoration of dwelling or nondwelling facilities damaged by fire or other casualty. With respect to any investor which is subject to supervision or regulation by a State banking, insurance, or other State department or agency, the Administrator may, in carrying out any of his supervisory and regulatory functions with respect to projects insured under this title, utilize, contract with, and act through, such department or agency and without regard to section 3709 of the Revised Statutes. 41 U. S. C. § 5.

"DEFINITIONS

"SEC. 713. The following terms shall have the meanings, respectively, ascribed to them below, and, unless the context clearly indicates otherwise, shall include the plural as well as the singular number:

"(a) 'Investor' shall mean (1) any natural person; (2) any group of not more than ten natural persons; (3) any corporation, company, association, trust, or other legal entity; or (4) any combination of two or more corporations, companies, associations, trusts, or other legal entities, having all the powers necessary to comply with the requirements of this title, which the Administrator (i) shall find to be qualified by business experience and facilities, to afford assurance of the necessary continuity of long-term investment, and to have available the necessary capital required for long-term investment in the project, and (ii) shall approve as eligible for insurance under this title. "Investor."

"(b) 'Project' shall mean a project (including all property, real and personal, contracts, rights, and choses in action acquired, owned, or held by the investor in connection therewith) of an investor designed and used primarily for the purpose of providing dwellings the occupancy of which is permitted by the investor in consideration of agreed charges: *Provided*, That nothing in this title shall be construed as prohibiting the inclusion in a project of such stores, offices, or other commercial facilities, recreational or community facilities, or other nondwelling facilities as the Administrator shall determine to be necessary or desirable appurtenances to such project. "Project." Commercial, etc., facilities.

"(c) 'Estimated investment' shall mean the estimated cost of the development of the project, as stated in the application submitted to the Administrator for insurance under this title. "Estimated investment."

"(d) 'Established investment' shall mean the amount of the reasonable costs, as approved by the Administrator, incurred by the investor "Established investment."

in, and necessary for, carrying out all works and undertakings for the development of a project and shall include the premium charge for the first operating year and the cost of all necessary surveys, plans and specifications, architectural, engineering, or other special services, land acquisition, site preparation, construction, and equipment; a reasonable return on the funds of the investor paid out in the course of the development of the project, up to and including the initial occupancy date; necessary expenses in connection with the initial occupancy of the project; and the cost of such other items as the Administrator shall determine to be necessary for the development of the project, (1) less the amount by which the rents and revenues derived from the project up to and including the initial occupancy date exceeded the reasonable and proper expenses, as approved by the Administrator, incurred by the investor in, and necessary for, operating and maintaining said project up to and including the initial occupancy date, or (2) plus the amount by which such expenses exceeded such rents and revenues, as the case may be.

"Physical completion date."

"(e) 'Physical completion date' shall mean the last day of the calendar month in which the Administrator determines that the construction of the project is substantially completed and substantially all of the dwellings therein are available for occupancy.

"Initial occupancy date."

"(f) 'Initial occupancy date' shall mean the last day of the calendar month in which 90 per centum in number of the dwellings in the project on the physical completion date shall have been occupied, but shall in no event be later than the last day of the sixth calendar month next following the physical completion date.

"Operating year."

"(g) 'Operating year' shall mean the period of twelve consecutive calendar months next following the initial occupancy date and each succeeding period of twelve consecutive calendar months, and the period of the first twelve consecutive calendar months next following the initial occupancy date shall be the first operating year.

"Gross income."

"(h) 'Gross income' for any operating year shall mean the total rents and revenues and other income derived from, or in connection with, the project during such operating year.

"Operating expenses."

"(i) 'Operating expenses' for any operating year shall mean the amounts, as approved by the Administrator, necessary to meet the reasonable and proper costs of, and to provide for, operating and maintaining the project, and to establish and maintain reasonable and proper reserves for repairs, maintenance, and replacements, and other necessary reserves during such operating year, and shall include necessary expenses for real estate taxes, special assessments, premium charges made pursuant to this title, administrative expenses, the annual rental under any lease pursuant to which the real property comprising the site of the project is held by the investor, and insurance charges, together with such other expenses as the Administrator shall determine to be necessary for the proper operation and maintenance of the project, but shall not include income taxes.

"Net income."

"(j) 'Net income' for any operating year shall mean gross income remaining after the payment of the operating expenses.

"Minimum annual amortization charge."

"(k) 'Minimum annual amortization charge' shall mean an amount equal to 2 per centum of the established investment, except that, in the case of a project where the real property comprising the site thereof is held by the investor under a lease, if (notwithstanding the proviso of section 703 (a) hereof) the gross income for any operating year shall be less than the amount required to pay the operating expenses (including the annual rental under such lease), the minimum annual amortization charge for such operating year shall mean an amount equal to 2 per centum of the established investment plus the amount of the annual rental under such lease to the extent that the same is not paid from the gross income.

Ante, p. 1277.

"(l) 'Annual return' for any operating year shall mean the net income remaining after the payment of the minimum annual amortization charge. "Annual return."

"(m) 'Insured annual return' shall have the meaning ascribed to it in section 701 hereof. "Insured annual return." *Ante*, p. 1276.

"(n) 'Minimum annual return' for any operating year shall mean an amount equal to 3½ per centum of the outstanding investment for such operating year. "Minimum annual return."

"(o) 'Excess earnings' for any operating year shall mean the net income derived from a project in excess of the minimum annual amortization charge and the minimum annual return. "Excess earnings."

"(p) 'Outstanding investment' for any operating year shall mean the established investment, less an amount equal to (1) the aggregate of the minimum annual amortization charge for each preceding operating year, plus (2) the aggregate of the excess earnings, if any, during each preceding operating year applied, in addition to the minimum annual amortization charge, to amortization in accordance with the provisions of section 705 hereof." "Outstanding investment." *Ante*, p. 1277.

SEC. 402. Sections 1 and 5 of the National Housing Act, as amended, are hereby amended by striking out "titles II, III, and VI" wherever they appear in said sections and inserting in lieu thereof "titles II, III, VI, and VII". 48 Stat. 1246, 1247. 12 U. S. C. § 1706; Supp. I, § 1702.

TITLE V—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

ADMINISTRATIVE PROVISIONS

SEC. 501. (a) Effective upon the date of enactment of this Act, the Housing and Home Finance Administrator shall receive compensation at the rate of $16,500 per annum, and the members of the Home Loan Bank Board, the Federal Housing Commissioner, and the Public Housing Commissioner shall each receive compensation at the rate of $15,000 per annum. Compensation of certain officials.

(b) Section 101 of the Government Corporation Control Act, as amended, is amended by inserting "Federal Housing Administration;" immediately after the semicolon which follows "United States Housing Corporation": *Provided*, That, as to the Federal Housing Administration, the audit required by section 105 of said Act shall begin with the fiscal year commencing July 1, 1948, and the exception contained in section 301 (d) of said Act shall be construed to refer to the cost of audits contracted for prior to July 1, 1948. 59 Stat. 597. 31 U. S. C. § 846. 59 Stat. 599. 31 U. S. C. § 850. 59 Stat. 601. 31 U. S. C. § 866 (d).

SEC. 502. In carrying out their respective functions, powers, and duties—

(a) The Housing and Home Finance Administrator may appoint such officers and employees as he may find necessary, which appointments shall be subject to the civil-service laws and the Classification Act of 1923, as amended. The Administrator may make such expenditures as may be necessary to carry out his functions, powers, and duties, and there are hereby authorized to be appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out such functions, powers, and duties and for administrative expenses in connection therewith. The Administrator may delegate any of his functions and powers to such officers, agents, or employees as he may designate, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties. The Administrator shall cause to be prepared for the Housing and Home Finance Agency an official seal of such device as he shall approve, and judicial notice shall be taken of said seal. The Secretary of Commerce or his designee Powers of Housing and Home Finance Administrator. 42 Stat. 1488. 5 U. S. C. §§ 661–674.

shall hereafter be included in the membership of the National Housing Council.

Powers of Public Housing Commissioner.

50 Stat. 888; 54 Stat. 681.
42 U. S. C. §§ 1401-1430, 1501-1505; Supp. I, §§ 1402 *et seq.*, 1501-1505 notes.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

(b) The Public Housing Administration shall sue and be sued only with respect to its functions under the United States Housing Act of 1937, as amended, and title II of Public Law 671, Seventy-sixth Congress, approved June 28, 1940, as amended. The Public Housing Commissioner may appoint such officers and employees as he may find necessary, which appointments, notwithstanding the provisions of any other law, shall hereafter be made hereunder, and shall be subject to the civil-service laws and the Classification Act of 1923, as amended; delegate any of his functions and powers to such officers, agents, or employees of the Public Housing Administration as he may designate; and make such rules and regulations as he may find necessary to carry out his functions, powers, and duties. Funds made available for carrying out the functions, powers, and duties of the Administration (including appropriations therefor, which are hereby authorized) shall be available, in such amounts as may from year to year be authorized by the Congress, for the administrative expenses of the Administration. Notwithstanding any other provisions of law except provisions of law hereafter enacted expressly in limitation hereof, the Public Housing Administration, or any State or local public agency administering a low-rent housing project assisted pursuant to the United States Housing Act of 1937 or title II of Public Law 671, Seventy-sixth Congress, approved June 28, 1940, shall continue to have the right to maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action is authorized by the statute or regulations under which such housing accommodations are administered, and, in determining net income for the purposes of tenant eligibility with respect to low-rent housing projects assisted pursuant to said Acts, the Public Housing Administration is authorized, where it finds such action equitable and in the public interest, to exclude amounts or portions thereof paid by the United States Government for disability or death occurring in connection with military service.

Availability of funds.

Recovery of possession.

50 Stat. 888; 54 Stat. 681.
42 U. S. C. §§ 1401-1430, 1501-1505; Supp. I, §§ 1402 *et seq.*, 1501-1505 notes.

Eligibility for low-rent housing; exclusion of certain payments.

Additional powers.

(c) The Housing and Home Finance Administrator, the Home Loan Bank Board (which term as used in this section shall also include and refer to the Federal Savings and Loan Insurance Corporation, the Home Owners' Loan Corporation, and the Chairman of the Home Loan Bank Board), the Federal Housing Commissioner, and the Public Housing Commissioner, respectively, may, in addition to and not in derogation of any powers and authorities conferred elsewhere in this Act—

(1) with the consent of the agency or organization concerned, accept and utilize equipment, facilities, or the services of employees of any State or local public agency or instrumentality, educational institution, or nonprofit agency or organization and, in connection with the utilization of such services, may make payments for transportation while away from their homes or regular places of business and per diem in lieu of subsistence en route and at place of such service, in accordance with the provisions of 5 U. S. C. 73b-2;

60 Stat. 808.

41 U. S. C. § 5.

(2) utilize, contract with, and act through, without regard to section 3709 of the Revised Statutes, any Federal, State, or local public agency or instrumentality, educational institution, or nonprofit agency or organization with the consent of the agency or organization concerned, and any funds available to said officers for carrying out their respective functions, powers, and duties shall be available to reimburse any such agency or organization; and, whenever in the judgment of any such officer necessary, he may make advance, progress, or other payments with respect to such

contracts without regard to the provisions of section 3648 of the Revised Statutes; 31 U. S. C. § 529.

(3) make expenditures for all necessary expenses, including preparation, mounting, shipping, and installation of exhibits; purchase and exchange of technical apparatus; and such other expenses as may, from time to time, be found necessary in carrying out their respective functions, powers, and duties: *Provided*, That the provisions of section 3709 of the Revised Statutes shall not apply to any purchase or contract by said officers (or their agencies), respectively, for services or supplies if the amount thereof does not exceed $300: *And provided further*, That funds made available for administrative expenses in carrying out the functions, powers, and duties imposed upon the Housing and Home Finance Administrator, the Home Loan Bank Board, the Federal Housing Commissioner, and the Public Housing Commissioner, respectively, by or pursuant to law may at their option be consolidated into single administrative expense fund accounts of said officers or agencies for expenditure by them, respectively, in accordance with the provisions hereof. 41 U. S. C. § 5. Consolidation of funds.

SEC. 503. Any low-rent or veterans' housing project undertaken or constructed under a program of a State or any political subdivision thereof and with the express purpose indicated in the State legislation of converting the project to a project with Federal assistance (if and when such Federal assistance becomes available), shall be approved as a low-rent housing project under the terms of the United States Housing Act of 1937, as amended, if (a) a contract for State financial assistance for such project was entered into prior to January 1, 1949, (b) the project is or can become eligible for assistance by the Public Housing Administration in the form of loans and annual contributions under the provisions of the United States Housing Act of 1937, as amended, and (c) the State or the public housing agency operating the project in the State makes application to the Public Housing Administration for Federal assistance for the project under the terms of the United States Housing Act of 1937, as amended: *Provided*, That loans made by the Public Housing Administration for the purpose of so converting the project to a project with Federal assistance shall be deemed, for the purposes of the provisions of section 9 and other sections of the United States Housing Act of 1937, to be loans to assist the development of the project. Assistance to State, etc., low-rent projects. 50 Stat. 888. 42 U. S. C. §§ 1401-1430; Supp. I, § 1402 *et seq.* 50 Stat. 891. 42 U. S. C. § 1409.

ACT CONTROLLING

SEC. 504. Insofar as the provisions of any other law are inconsistent with the provisions of this Act, the provisions of this Act shall be controlling.

SEPARABILITY

SEC. 505. Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provisions of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its applications to other persons and circumstances, but shall be confined in its operation to the provisions of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

Approved August 10, 1948.

[CHAPTER 833]

JOINT RESOLUTION

August 10, 1948
[S. J. Res. 239]
[Public Law 902]

To provide for an extension of time within which the Joint Committee on Labor-Management Relations shall make its final report.

61 Stat. 160.
29 U. S. C., Supp. I, § 193.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 of title IV of the Labor-Management Relations Act, 1947, is amended by striking out the words "January 2, 1949" and inserting in lieu thereof the words "March 1, 1949".

Approved August 10, 1948.

[CHAPTER 834]

JOINT RESOLUTION

August 11, 1948
[S. J. Res. 212]
[Public Law 903]

To authorize the President, following appropriation of the necessary funds by the Congress, to bring into effect on the part of the United States the loan agreement of the United States of America and the United Nations signed at Lake Success, New York, March 23, 1948.

United Nations.

Whereas the Congress of the United States, in H. Con. Res. 75, passed unanimously by the House of Representatives December 10, 1945, and agreed to unanimously by the Senate December 11, 1945, invited the United Nations "to locate the seat of the United Nations Organizations within the United States"; and

59 Stat. 848.

Whereas the General Assembly on December 14, 1946, resolved "that the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East Forty-eighth Street, the East River, and East Forty-second Street"; and

Whereas, pursuant to authorization of the Congress in Public Law 357 of the Eightieth Congress, the "Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations" was brought into effect November 21, 1947, defining the rights and obligations of the United States and the United Nations with respect to the above-mentioned site; and

61 Stat. 756.

Whereas plans have been prepared for construction on said site of permanent headquarters of the United Nations to cost not more than $65,000,000, and the United Nations is ready to proceed with such construction as soon as financing can be provided; and

Whereas the present temporary headquarters of the United Nations are inadequate for the efficient functioning of the Organization and retention of its headquarters in the United States can be assured only by the erection of adequate permanent facilities; and

Whereas owing to the current critical dollar shortage, the other member nations are not able to provide in cash at present their respective shares of the cost of constructing the permanent headquarters; other methods of borrowing the necessary funds have been found impracticable; and the permanent establishment of the headquarters of the United Nations in this country will result directly and indirectly in substantial economic benefits to the United States from the expenditures of the Organization and its member nations; and

Whereas in view of the foregoing considerations, the United States representative at the seat of the United Nations, in response to an inquiry of the Secretary-General of the United Nations regarding the possibility of a United States Government loan, informed the Secretary-General, with the authorization of the President, by note dated October 29, 1947, that the President would recommend to the Congress the authorization of a loan from the United States to the United Nations for the construction of the headquarters in an amount not exceeding $65,000,000; and

Whereas the General Assembly of the United Nations, by resolution of November 20, 1947, authorized the Secretary-General to negotiate such a loan with the appropriate officials of the United States Government, expressly recognizing that such loan would require the approval of the Congress; and

Whereas the United States Representative to the United Nations has negotiated and signed, on behalf of the United States an agreement with the United Nations in the form set forth below, providing for an interest-free loan of not more than $65,000,000 from the United States to the United Nations to be repaid in annual installments, and said agreement is, by its terms, to become effective on notification to the United Nations that the Congress, with the approval of the President, has made available the funds necessary to be advanced in accordance with the provisions of the agreement: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, following appropriation of the necessary funds by the Congress, or the making available of funds as provided in section 4 (b) hereof to bring into effect on the part of the United States the loan agreement, set forth below, between the United States of America and the United Nations, signed at Lake Success, New York, on March 23, 1948, with such changes therein not contrary to the general tenor thereof and not imposing any additional obligations on the United States or relieving the United Nations of any obligations, as the President may deem necessary and appropriate:

Loan agreement.

Post, p. 1289.

LOAN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED NATIONS

It is hereby agreed by the Government of the United States of America and the United Nations as follows:

(1) Subject to the terms and conditions of this Agreement, the Government of the United States will lend to the United Nations a sum not to exceed in the aggregate $65,000,000. Such sum shall be expended only as authorized by the United Nations for the construction and furnishing of the permanent headquarters of the United Nations in its headquarters district in The City of New York, as defined in the Agreement Between the United States of America and the United Nations Regarding the Headquarters of the United Nations, signed at Lake Success, New York, on June 26, 1947, including the necessary architectural and engineering work, landscaping, underground construction and other appropriate improvements to the land and approaches, and for other related purposes and expenses incident thereto.

61 Stat. 758.

(2) Such sum, or parts thereof, will be advanced by the United States through the Secretary of State, to the United Nations upon request of the Secretary-General or other duly authorized officer of the United Nations and upon the certification of the architect or engineer in charge of construction, countersigned by the Secretary-General or other duly authorized officer, that the amount requested is required to cover payments for the purposes set forth in paragraph (1) above which either (a) have been at any time made by the United Nations, or (b) are due and payable, or (c) it is estimated will become due and payable within sixty days from the date of such request. All sums not used by the United Nations for the purposes set forth in paragraph (1) will be returned to the United States through the Secretary of State when no longer required for said purposes. No amounts will be advanced hereunder after July 1, 1951, or such later

Advance of funds.

date, not after July 1, 1955, as may be agreed to by the Secretary of State.

(3) All sums advanced hereunder will be receipted for on behalf of the United Nations by the Secretary-General or other duly authorized officer of the United Nations.

Repayments without interest.

(4) The United Nations will repay, without interest, to the United States the principal amount of all sums advanced hereunder, in annual payments beginning on July 1, 1951, and on the dates and in the amounts indicated, until the entire amount advanced under this agreement has been repaid as follows:

Date	Amount	Date	Amount
July 1, 1951	$1,000,000	July 1, 1967	$2,500,000
July 1, 1952	1,000,000	July 1, 1968	2,500,000
July 1, 1953	1,500,000	July 1, 1969	2,500,000
July 1, 1954	1,500,000	July 1, 1970	2,500,000
July 1, 1955	2,000,000	July 1, 1971	2,500,000
July 1, 1956	2,000,000	July 1, 1972	2,500,000
July 1, 1957	2,000,000	July 1, 1973	2,500,000
July 1, 1958	2,000,000	July 1, 1974	2,500,000
July 1, 1959	2,000,000	July 1, 1975	2,500,000
July 1, 1960	2,500,000	July 1, 1976	1,500,000
July 1, 1961	2,500,000	July 1, 1977	1,500,000
July 1, 1962	2,500,000	July 1, 1978	1,500,000
July 1, 1963	2,500,000	July 1, 1979	1,500,000
July 1, 1964	2,500,000	July 1, 1980	1,500,000
July 1, 1965	2,500,000	July 1, 1981	1,500,000
July 1, 1966	2,500,000	July 1, 1982	1,000,000

However, in the event the United Nations does not request the entire sum of $65,000,000 available to it under this Agreement, the amount to be repaid under this paragraph will not exceed the aggregate amount advanced by the United States. All amounts payable to the United States under this paragraph will be paid, out of the ordinary budget of the United Nations, to the Secretary of State of the United States in currency of the United States which is legal tender for public debts on the date such payments are made. All sums repaid to the United States will be receipted for on behalf of the United States by the Secretary of State.

(5) The United Nations may at any time make repayments to the United States of funds advanced hereunder in excess of the annual installments as provided in paragraph (4) hereof.

Supra.

61 Stat. 764.

Disposal of land.

(6) The United Nations agrees that, in order to give full effect to Section 22 (a) of the Agreement regarding the Headquarters of the United Nations referred to in paragraph (1) above (under which the United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States), it will not, without the consent of the United States, while any of the indebtedness incurred hereunder is outstanding and unpaid, create any mortgage, lien or other encumbrance on or against any of its real property in the headquarters district as defined in said Agreement. The United Nations also agrees that the United States, as a condition to giving its consent to any such disposition or encumbrance, may require the simultaneous repayment of the balance of all installments remaining unpaid hereunder.

Mortgage against real property.

Effective date of Agreement.

(7) The effective date of this Agreement shall be the date on which the Government of the United States notifies the United Nations that the Congress of the United States, with the approval of the President, has made available the funds necessary to be advanced in accordance with the provisions of this Agreement.

In Witness Whereof, the Government of the United States of America, acting by and through the United States Representative to the United Nations, and the United Nations, acting by and through the Secretary-General, have respectively caused this Agreement to be duly signed in duplicate at Lake Success, New York, on this 23rd day of March, 1948.

For the Government of the United States of America:

WARREN R. AUSTIN,
United States Representative to the United Nations

For the United Nations:

TRYGVE LIE,
Secretary-General

Disbursement of funds; time limitation. *Ante*, p. 1287.

SEC. 2. Sums advanced to the United Nations in accordance with the provisions of paragraph (2) of the aforesaid loan agreement shall be disbursed by the United Nations for the purposes for which such sums were advanced within ninety days after their receipt from the United States. Any funds not so disbursed within that period shall be returned to the United States through the Secretary of State within thirty days thereafter.

Authority over headquarters district.

SEC. 3. So long as the headquarters district is used as the seat of the United Nations, nothing in this resolution shall be deemed to limit the control and authority of the United Nations over such district as exercised pursuant to Public Law 357, Eightieth Congress: *Provided, however*, That in the event such district is, for whatever reason, no longer used as the seat of the United Nations, the United States shall, in addition to any rights it enjoys under paragraph (6) of the aforesaid loan agreement and section 22 of the Headquarters Agreement (Public Law 357, Eightieth Congress), be entitled to recover from the land and buildings in the headquarters district, in advance of all other creditors of the United Nations, any indebtedness incurred under the loan agreement which is then outstanding and unpaid.

61 Stat. 756.

Priority rights of U. S. *Ante*, p. 1288.

61 Stat. 764.

Appropriation authorized.

SEC. 4. (a) There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, the sum of $65,000,000 to accomplish the purposes of this joint resolution. Amounts received in repayment of such loan shall be deposited and covered into the Treasury of the United States as miscellaneous receipts.

Advances by RFC.

(b) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed until such time as an appropriation shall be made pursuant to subsection (a) of this section to make advances not to exceed in the aggregate $25,000,000 to carry out the provisions of this joint resolution and of the loan agreement referred to in section 1 in such manner, and in such amounts, as the President shall determine, and no interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose. The Reconstruction Finance Corporation shall be repaid without interest, for advances made by it hereunder from funds made available for the purposes of this joint resolution and of the loan agreement set forth in section 1.

Ante, p. 1287.

Approved August 11, 1948.

[CHAPTER 835]

JOINT RESOLUTION

August 13, 1948
[H. J. Res. 445]
[Public Law 904]

Making appropriations for the Housing and Home Finance Agency and the Veterans' Administration.

Supplemental Appropriation Act, 1949.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums

are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, namely:

DISPLACED PERSONS COMMISSION

The appropriation of $2,000,000 for the Displaced Persons Commission in the "Second Deficiency Appropriation Act, 1948" (Public Law 785, Eightieth Congress, second session), may be apportioned for obligation and expenditure during the first three quarters of the fiscal year 1949.

Ante, p. 1031.

HOUSING AND HOME FINANCE AGENCY

OFFICE OF THE ADMINISTRATOR

SALARIES AND EXPENSES

The amount made available under this head in the Government Corporations Appropriation Act, 1949, for administrative expenses for the Office of the Administrator, is increased from $750,000 to $1,050,000.

Ante, p. 1184.

FEDERAL HOUSING ADMINISTRATION

Funds made available by the Government Corporations Appropriation Act, 1949, for administrative expenses of the Federal Housing Administration for the fiscal year 1949, shall be available for administrative expenses of the Federal Housing Administration in connection with the Housing Act of 1948 in such amounts as may be approved by the Director of the Bureau of the Budget (but not exceeding in the aggregate $2,100,000) and the amounts so approved by the Director of the Budget may be transferred from funds available within such limitations as may be affected hereby for the last quarter of the fiscal year 1949 and obligated during the first three quarters of such fiscal year; and the sources of funds for such administrative expenses shall include the Housing Investment Insurance Fund created by the Housing Act of 1948.

Ante, pp. 1034, 1189.

Ante, p. 1268.

Ante, p. 1280.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

HOUSING INVESTMENT INSURANCE FUND

To enable the Secretary of the Treasury to make available to the Federal Housing Administration for credit to the Housing Investment Insurance Fund as provided in the Housing Act of 1948, $10,000,000, to remain available until expended.

Ante, p. 1280.

MOTOR CARRIER CLAIMS COMMISSION

Section 6, of Public Law 880, Eightieth Congress, second session, an Act "To create a Commission to hear and determine the claims of certain motor carriers", is hereby amended by striking out the words "six months" in said section and inserting in lieu thereof the words "nine months".

Ante, p. 1222.

Section 13 of said Act is amended by striking out the words "six months' period" and inserting in lieu thereof the words "nine months' period".

Ante, p. 1223.

VETERANS' ADMINISTRATION

AUTOMOBILES FOR DISABLED VETERANS

For an additional amount for "Automobiles and other conveyances for disabled veterans," $5,000,000.

Ante, p. 1035.

SEC. 2. The appropriations and funds herein made available shall be subject to Section 402 of the Second Deficiency Appropriation Act, 1948.

Ante, p. 1050.

SEC. 3. This Act may be cited as the "Supplemental Appropriation Act, 1949."

Short title.

Approved August 13, 1948.

[CHAPTER 836]

JOINT RESOLUTION

To aid in protecting the Nation's economy against inflationary pressures.

August 16, 1948
[S. J. Res. 157]
[Public Law 905]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to protect the Nation's monetary, banking, and credit structure, and interstate and foreign commerce, against increased inflationary pressures, the Board of Governors of the Federal Reserve System are authorized, notwithstanding the Act of August 8, 1947 (Public Law 386, Eightieth Congress), to exercise, up to and including June 30, 1949, consumer-credit controls in accordance with and to carry out the purposes of Executive Order Numbered 8843 (August 9, 1941) insofar as it relates to installment credit.

Consumer installment credit controls.

61 Stat. 921.
12 U. S. C., Supp. I, § 248 note.

50 U. S. C. app. § 5 note.

All the present provisions of sections 21 and 27 of the Securities Exchange Act of 1934, as amended (relating to investigations, injunctions, jurisdictions, and other matters), shall be as fully applicable with respect to the exercise by the Board of Governors of consumer installment credit controls as they are now applicable with respect to the exercise by the Securities and Exchange Commission of its functions under that Act, and the Board shall have the same powers in the exercise of such consumer installment credit controls as the Commission now has under the said sections.

48 Stat. 899, 902.
15 U. S. C. §§ 78u, 78aa.

SEC. 2. Section 19 of the Federal Reserve Act, as amended, is amended by inserting after the sixth paragraph thereof the following new paragraph:

38 Stat. 270; 48 Stat. 54.
12 U. S. C. §§ 462-462b.

"Notwithstanding any other provision of law, the Board of Governors of the Federal Reserve System, in order to prevent injurious credit expansion, may by regulation change the requirements as to reserves to be maintained pursuant to this section against demand or time deposits or both (1) by member banks in central reserve cities, or (2) by member banks in reserve cities, or (3) by member banks not in reserve or central reserve cities, or (4) by all member banks; but no such change shall have the effect of requiring any such member bank to maintain a reserve balance against its time deposits in an amount equal to more than 7½ per centum thereof, or a reserve balance against its demand deposits in an amount equal to more than 30 per centum thereof if such bank is in a central reserve city, 24 per centum thereof if in a reserve city, or 18 per centum thereof if not in a reserve or central reserve city. No change in reserve requirements made under authority of this paragraph shall continue in effect after June 30, 1949."

Federal Reserve requirements.

Approved August 16, 1948.

[CHAPTER 837]

JOINT RESOLUTION

December 31, 1948
[H. J. Res. 448]
[Public Law 906]

To extend for sixty days the time within which the Commission on Organization of the Executive Branch of the Government may make a report of its findings and recommendations, and for other purposes.

Commission on Organization of the Executive Branch of the Government, amendment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 7, 1947, entitled "An Act for the establishment of the Commission on Organization of the Executive Branch of the Government", is amended as follows:

61 Stat. 248.
5 U. S. C., Supp. I, § 138i (b).

(1) Section 10 (b) is amended to read as follows:

"(b) REPORT.—Not later than seventy days after the Eighty-first Congress is convened and organized, the Commission shall make a report of its findings and recommendations to the Congress."

61 Stat. 247.
5 U. S. C., Supp. I, § 138c.

(2) Section 3 is amended, as of December 31, 1948, by inserting at the end thereof a new subsection reading as follows:

"(d) CONTINUATION OF MEMBERSHIP UPON CHANGE OF STATUS.—Despite the provisions of paragraphs (1), (2), and (3) of subsection (a), a person appointed to the Commission in the status of a Member of Congress or in the status of a person in the Executive branch of the Government, who thereafter ceases to have such status, shall nevertheless continue as a member of the Commission, and from and after his change of status shall, if he has returned to private life (except for his membership on the Commission), receive the same compensation as a person appointed to the Commission in the status of a person from private life."

Approved December 31, 1948.